

85TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 30, 1987

PRESIDENT:

The hour of ten having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Thomas Radtke, Trinity Lutheran Church, Springfield, Illinois.

REVEREND THOMAS RADTKE:

(Prayer given by Reverend Radtke)

PRESIDENT:

Thank you, Reverend. Reading of the Journal, Madam Secretary. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I move that the reading and approval of the Journals of Tuesday, June 16th; Wednesday, June 17th; Thursday, June 18th; Friday, June 19th; Monday, June 22nd; Tuesday, June 23rd; Wednesday, June 24th; Thursday, June 25th; Friday, June 26th; Saturday, June 27th; Sunday, June 28th and Monday, June 29th, in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to the following bills:

Senate Amendment No. 1 to House Bill 871.

Senate Amendments 1 and 2 to House Bill 2065.

Senate Amendment 1 to House Bill 2276.

Senate Amendments 1 and 2 to House Bill 2350.

Senate Amendments 1, 2 and 3 to House Bill 2359.

Senate Amendments 2 and 3 to House Bill 2806.

Senate Amendment 1 to House Bill 2852.

And Senate Amendment 1 to House Bill 2476.

PRESIDENT:

Secretary's Desk. All right, ladies and gentlemen, if I can direct your attention to the Supplemental Calendar. I'd just ask the members to take a look at that. They are all nonconcurrence. I would assume that the motions will be...at least I am informed would be that the Senate will refuse to recede from Senate amendments and those bills will go into conference. That is just a matter of...truly, of sending the Message back to the House. So, if any member is prepared to do that, we are prepared to go to that order. Senator Topinka, you have a couple on there. On the Order of Secretary's Desk Nonconcurrence, Madam Secretary, Supplemental Calendar No. 1, is House Bill 2359. Madam Secretary, if you, please.

SECRETARY:

Senate Amendment No. 1 to House Bill...I'm...I'm sorry, 2359...Senate Amendments 1, 2 and 3 to Senate...House Bill 2359.

SENATOR TOPINKA:

Mr...Mr. President and Ladies and Gentlemen of the Senate...wait, I'm trying to find the right Calendar. Yes, I would ask the Senate refuse to recede from Senate Amendments 1, 2 and 3. That is correct, isn't it to kick it back in...yes...and so that a Conference Committee be set up.

PRESIDENT:

All right, Senator Topinka has moved that the Senate refuse to recede from Senate Amendments 1, 2 and 3 to House Bill 2359, that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it.

The motion carries and the Secretary shall so inform the House. How about the next one? 2476, Madam Secretary.

SECRETARY:

Senate Amendment No. 1...

PRESIDENT:

2476, Madam Secretary. Thank you.

SECRETARY:

Senate Amendment No. 1 to...to House Bill 2476.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, I would ask that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 2476.

PRESIDENT:

All right, Senator Topinka has moved that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 2476, that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Same order, on Secretary's Desk Nonconcurrency, it's Supplemental Calendar No. 1, ladies and gentlemen, so we're all on the same wavelength here, is House Bill 2806, Madam Secretary. 2-8-0-6.

SECRETARY:

Senate Amendments 2 and 3 to House Bill 2806.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'd move that the Senate refuse to recede from Senate Amendment No. 2 and 3 to House Bill 2806.

PRESIDENT:

All right, Senator Weaver has moved that the Senate refuse to recede from Senate Amendments 2 and 3 to House Bill

2806 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Hall, you have one on the Supplemental Calendar. Supplemental Calendar No. 1, on the Order of Secretary's Desk Nonconcurrency is House Bill 2276, Senator Hall...I mean, Madam Secretary.

SECRETARY:

Senate Amendment No. 1.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Yes...Senate Amendment No. 1...that is...I don't have that amendment before me...let me see...who...who...

PRESIDENT:

All right, take it out of the record. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, I have a bill on Secretary's Desk Concurrence and I'd like to refuse to...I...I wish to nonconcur in if you're looking for something to do.

PRESIDENT:

No, I'm not looking for anything to do. It's June 30. I don't, frankly...as far as I'm concerned, we can adjourn right now. Yeah. All right, in the meantime, we have some appropriation bills that we had better get to. They've been working...why don't we start on Secretary's Desk Nonconcurrency on the regular Calendar. He'll run through that one time and then we'll run through concurrence and then we'll go to the supplemental, then we can stand at ease or take a break for lunch or something...while we're awaiting the conferees. Let's start on page 10.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Secretary's Desk Nonconcurrency, page 10,

House Bill 126, Senator Maitland. Madam Secretary,...126.

SECRETARY:

Senate Amendment No. 1 to House Bill 126.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. I...I move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 126 and a Committee on Conference be appointed.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, discussion? All right, Senator Maitland has moved that the Senate refuse to recede from the adoption of Senate Amendment 1 to House Bill 126 and that a Conference Committee be appointed. All those...all those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 482, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 482.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would move that we refuse to recede from Senate Amendment No. 1 to House Bill 482 and that a Conference...request a Conference Committee.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Rock has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 482 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. House Bill 483, Senator Berman. Senator Berman on the Floor? 484, Senator Maitland.

House Bill 484, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 484.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Haitland.

SENATOR HAITLAND:

Well, thank you, very much, Mr. President. I have a...I guess a question at this point for Senator Rock, if he's...if he would yield. Senator Rock, that was your amendment on...on Senate Bill 484 and I...I think it's a moot issue now. That bill...so if we just...

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Haitland.

SENATOR HAITLAND:

Mr...Mr. President, thank you. I move the Senate recede from Senate Amendment No. 1 to House Bill 484.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, this is final action. The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 484. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate recedes from Senate Amendment 1 to House Bill 484 and the bill having received the required constitutional majority is declared passed. House Bill 770, Senator...Senator Hall, for what purpose do you arise?

SENATOR HALL:

Thank you, Mr...I'll be ready on my...on the supplementary whenever you call me now. I've got it straight.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, Secretary's Desk Nonconcurrency, middle of the page, is House Bill 770, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 770.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'd move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 770 and a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEWUZIO)

All right, Senator Weaver moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 770 and that a Conference Committee be appointed. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. 782, Senator Haitland. House Bill 782, Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 3 to House Bill 782.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Haitland.

SENATOR HAITLAND:

Thank you, very much, Mr. President and members of the Senate. I move the Senate refuse to recede from Senate Amendments 1, 2 and 3 to House Bill 792 and a Committee on Conference be appointed.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Haitland has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 and that a Conference Committee be appointed. Discussion? If not, those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. House Bill 799, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 799.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I move that the Senate refuse to recede from Amendments 1 and 2 and ask that a Conference Committee be...be appointed.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Etheredge has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 499 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. House Bill 848, Senator Collins...all right, Senate bill...sorry...House Bill 848, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 848.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President. I move to recede from Senate Amendment No. 1 to House Bill 848, because it is my understanding that the amendment is not necessary.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, discussion? All right, this will be final action, then. Senator...the question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 848. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does recede from Amendment...Senate Amendment 1 to House Bill 848 and the bill having received the required constitutional majority is declared passed. UPI has requested permission to take still pictures. Is leave granted? Leave

is granted. Bottom of page 10 is House Bill 960, Madam Secretary.

SECRETARY:

House...Senate Amendment No. 1 to House Bill 960.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. I move the Senate refuse to recede from Senate Amendment No. 1 and ask that...of House Bill 960 and ask that a Committee on Conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Discussion? Senator Maitland has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 960 and that a Conference Committee be appointed. Those in favor will indicate by saying Aye. Opposed May. The Ayes have it. Motion carries and the Secretary shall so inform the House. Page...Senator Rock, for what purpose do you arise?

SENATOR ROCK:

...next...

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Oh,...page....page 11 is House Bill 1063, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1063.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate recede from Senate Amendment No. 1. Senate Amendment No. 1 increased the number of appellate court judges in the 2nd District from six to seven. The bill as it came from the House had already increased it from

four to six. I've talked with Representative Giorgi and Representative Cullerton and Senator Holmberg, six is enough. The Senate Amendment was too much and I would move that we, therefore, recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Did I understand you correctly, Senator Rock, to say that the House had already increased the number of judges in the appellate court for the 2nd District, is that right?

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Rock.

SENATOR ROCK:

You are correct.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Further discussion? The question is, shall the Senate recede from the...Senate Amendment No. 1 to House Bill 1063. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 9, 1 voting Present. The Senate recedes from Senate Amendment 1 to House Bill 1063 and the bill having received the required constitutional majority is declared passed. House Bill 1072. House Bill 1163, Senator Carroll. House Bill 1163, Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 3 to House Bill 1163.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate refuse to recede from Senate Amendments 1, 2 and 3 and that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 1163 and that a Committee of Conference be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. House Bill 1234, Madam Secretary.

SECRETARY:

Senate Amendments 1, 2, 3 to House Bill 1234.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I move that the Senate not recede from Senate Amendments 1, 2 and 3 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Etheredge has moved that the Senate refuse to recede from the adoption of Senate Amendment 1 to House Bill...I'm sorry, 1, 2 and 3 to House Bill 1234 and that a Committee of Conference be appointed. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries. Secretary shall so inform the House. House Bill 1275, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1275.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that the Senate refuse to recede from Senate Amendment No. 1 and that we...a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1275 and that a Committee of Conference be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. House Bill 1560. House Bill 1636. Senator Carroll. House Bill 1636, Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 4 to House Bill 1636.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that the Senate refuse to recede from Senate Amendments 1, 2 and 4 and that we ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Carroll moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 4 to House Bill 1236 and that a...Conference Committee be appointed. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Bill...1634, Senator Carroll. House Bill 1684, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 1664.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate refuse to recede from Senate Amendment No. 1 and that we ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1684 and that a Conference Committee be appointed. Those in favor...of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 1197, Senator Carroll. 1197, Madam Secretary. 1897, I beg your pardon. 1-8-9-7.

SECRETARY:

Senate Amendments 1, 2 and 3 to House Bill 1897.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate refuse to recede from Senate Amendments 1, 2 and 3 and that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 1897. Those in favor will...and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. House Bill 2050, Madam Secretary. Senator Rock, 2050. House Bill 2050.

SECRETARY:

Senate Amendment No. 2 to House Bill 2050.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2050 is the annual appropriation for our, the General Assembly's, district office expenses. Senate Amendment No. 1 was an attempt to reflect General Assembly action in that it added on three million dollars for the proposed Ronan-Carroll legislative assistant bill. The House has refused to accept that Senate amendment, and at this point in time, I am asking that the Senate recede from that three million dollar add-on. These are tight fiscal times, as I'm sure everyone is painfully aware, and I do not expect that the Governor would have signed this anyway. So, I think it's in our best interest that we recede from Senate Amendment No. 2 to House Bill 2050 and I so move.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? The question is, shall the Senate recede from Amendment...Senate Amendment No. 2 to House Bill 2050. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate recedes from Senate Amendment No. 2 to House Bill 2050 and the bill having received the required constitutional majority is declared passed. House Bill 2743, Senator Hall. House Bill 2743, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2743.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm...I move to...to nonrecede from House Bill 2743

and ask that a...a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Discussion? Senator Hall has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2748 and that a Conference Committee be appointed...those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. Page 12, House Bill 2756, Senator Carroll. House Bill 2756, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2756.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Can we break up the conference around Senator Carroll so I...Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate refuse to recede from Senate Amendment No. 1 and that we ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Discussion? Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2756 and that a Conference Committee be appointed. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. House...all right. We'll now go to the...the Supplemental Calendar No. 1...Supplemental Calendar No. 1, Secretary's Desk Nonconcurrency is House Bill 371, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 371.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move to refuse to recede from Senate Bill...Senate Amendment No. 1 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Vadalabene has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 871 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. House Bill 2063, Senator Thomas Dunn. Supplemental Calendar. 2276, Senator Hall. Supplemental Calendar No. 1 is House Bill 2276, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2276.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Geo-Karis, are you listening? I refuse to recede from Senate Amendment No. 1 on...House Bill 2276 and ask that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hall moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2276 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. 2350, Senator Marovitz. 2852, Senator Donahue. Supplemental Calendar No. 1, bottom of the page, House Bill 2852. All right, bottom of page...bottom of the Supplemental Calendar is House Bill 2852, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 2852.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Donahue moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2852 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House. All right, with leave of the Body, we'll return to the Calendar on page 10, Secretary's Desk Nonconcurrency. Page 10. Senator Berman has indicated that he wishes action on House Bill 483. Madam Secretary, House Bill 483.

SECRETARY:

Senate Amendment No. 1 to House Bill 483.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I will move to recede from Senate Amendment No. 1. Senate Amendment No. 1 struck the...the effective date amendment...the effective date provision in the bill. What the bill is is the appropriation for general state aid for Fiscal '88. It is in the amount of 1.9 billion dollars which is the same level as 1987. I move that the Senate recede from Senate Amendment No. 1.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate recede from...Senate Amendment No. 1 to House bill 483. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

that question, there are 55 Ayes, no Nays, none voting Present. The Senate does recede from Amendment No. 1 to House Bill 483 and the bill having received the required constitutional majority is declared passed. All right, on Supplemental Calendar No. 1, Madam Secretary, on the same order, on nonconcurrence, is House Bill 2065. Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 2065.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. I do not wish to recede on that and I ask for a Conference Committee.

PRESIDENT:

All right, Senator Dunn has moved that the Senate refuse to recede from Senate Amendments 1 and 2 to House Bill 2065 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. Motion carries and the Secretary shall so inform the House. All right, ladies and gentlemen, we'll move now to...Secretary's Desk Concurrence. That's on the regular Calendar on page 8. I would ask the members to indicate their preference, whether they wish to move or have the bills held. We will probably not get back to this order. So, I'd ask the members...Senate Bill 43, Senator German. Senate Bill 63, Senator Kelly. Senate bill 65, Senator Keats. Senate Bill 117, Senator Demuzio. Senator...Madam Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 117.

SECRETARY:

House Amendments 1 and 3 to Senate bill 117.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I would move, Mr. President, to nonconcur with House Amendments 1 and 2 to Senate Bill 117.

PRESIDENT:

All right, Senator Demuzio has...Senator Demuzio has moved to nonconcur in House Amendments 1 and 3 to Senate Bill 117. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. 239, Senator Etheredge. Madam Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 289.

SECRETARY:

House Amendment No. 1 to Senate Bill 289.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and members of the Senate, I move to concur with House No. 1.

PRESIDENT:

All right, the gentleman has moved concurrence. Is there any discussion? Any discussion? If not, the question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 289. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 289 and the bill having received the required constitutional majority is declared passed. 310, Senator Etheredge. Madam Secretary, on the same order is Senate Bill 310.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 310.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I move that the Senate not...nonconcur in House Amendments 1 and 2.

PRESIDENT:

All right, Senator Etheredge has moved to nonconcur in House Amendments 1 and 2 to Senate Bill 310. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. Senate Bill 389, Senator Dunn. 418, Senator Lito. 427, Senator Maitland. Madam Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 427.

SECRETARY:

House Amendment No. 1 to Senate Bill 427.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. I move that the Senate concur in House Amendment No. 1.

PRESIDENT:

Senator Maitland has moved concurrence. Is there any discussion? Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 427. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate does concur in House Amendment No. 1 to Senate Bill 427 and the bill having received the required constitutional majority is declared passed. 886, Senator Demuzio. Madam Secretary, on the Order of Secretary's Desk Concurrence, bottom of page 3, is Senate Bill 886.

SECRETARY:

House Amendments 2 and 4 to Senate Bill 886.

SB 914
Concurrence

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Mr. President. I would move that the...that we nonconcur with House Amendments 2 and 4 to Senate Bill 836.

PRESIDENT:

Senator Demuzio has moved to nonconcur in House Amendments 2 and 4 to Senate Bill 886. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 914, Senator Etheredge. Top of page 9 on the Order of Secretary's Desk Concurrence is Senate Bill 914, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 914.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I'm moving to concur in House Amendment No. 1. What House Amendment No. 1 does is to...what the bill does is to continue to lay the framework for Illinois' participation in the supercool, superconducting collider project, a project that we've talked about a great deal over the last couple of years...the House amendment to this bill provides or...provides a...a legal framework for the state to proceed with the...the project that...and...and this framework has been called to our attention...or the need for it has been called to our attention by the expanded directives that have come to the state from the...the Federal Department of energy. I move to concur with this amendment.

PRESIDENT:

Discussion? The gentleman has...moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 914. Those in favor will vote Aye. Opposed vote Nay. The voting

*J. B. 972
Concurrence*

is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, 1 voting Present. The Senate does concur with House Amendment No. 1 and...to Senate Bill...914 and the bill having received the required constitutional majority is declared passed. Senator Raica on 972. Madam Secretary, on the Order of Secretary's Desk Concurrence is Senate Bill 972.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 972.

PRESIDENT:

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. I move to concur with House Amendments No. 1 and House Amendment No. 2. What House Amendment No. 1 does...the only substantive change is that the amendments adds a provision providing that designated blood not used in seven days can be used for other purposes, and...House Amendment No. 2 adds that there is a two-year trial basis. In other words, this bill will come up in another two years and I move to concur with House Amendments 1 and 2.

PRESIDENT:

Gentleman has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 972. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, 1 voting Present. Senate does concur with House Amendments 1 and 2 to Senate bill 972 and the bill having received the required constitutional majority is declared passed. Senator Etheredge, 977. Senator Berman, 998. Top of page 9, ladies and gentlemen. Senator Hall 1129. On the

Order of Secretary's Desk Concurrence, Madam Secretary, is Senate Bill 1129.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 1129.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to concur with House Amendment No. 1 to Senate Bill 1129 and to...I should explain this to you. This amendment makes technical corrections to an Act to require prompt payments by the State of Illinois for goods and services to clarify exceptions and time frames for payments of medical claims paid by the Department of Public Aid. Now, the basis for this is this amendment makes the following changes. It exempts payments from the medical providers under investigation for fraud or an abuse from the provision of this Act. It...second, it permits the department to extend the time frame for payment of medical claims from thirty to forty-five days or fifty-five days if certain reviews are necessary to determine the medical necessity of certain services and permits the denial of interest payments for claims which are not supported by documentation of medical necessity. It also allows the department a hundred and twenty days to implement the provision of the Act after this effective date. Now, the fiscal impact is this, is that the Hospital Association and Department of Public Aid and everyone involved fully supports this, and this provision allows longer time frames prior to paying claims subject to...payments. A medical necessity will allow the department to continue its current policy which has resulted in a saving of 14.2 million annually. I would move for the adoption of Amendment No. 1.

PRESIDENT:

All right, the gentleman has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1129. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 3 Nays, 2 voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1129 and the bill having received the required constitutional majority is declared passed. 977, Mr. Secretary. Senator Etheredge was distracted momentarily. On the Order of Secretary's Desk Concurrence is Senate Bill 977.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 977.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I move to concur with House Amendment No. 1.

PRESIDENT:

Gentleman has moved concurrence. Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 977. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. Senate does concur with House Amendment No. 1 to Senate Bill 977 and the bill having received the required constitutional majority is declared passed. 1206, Senator Luft. Senator Luft on the Floor? 1229, Senator Philip. 1295, Senator Etheredge. On the Order of Secretary's Desk Concurrence is Senate Bill 1295, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 1295.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I move to concur with House Amendment No. 1.

PRESIDENT:

Senator Etheredge has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to...to Senate Bill 1295. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1295 and the bill having received the required constitutional majority is declared passed. 1325, Senator Carroll. On the Order of Secretary's Desk Concurrence is Senate Bill 1325.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 1 to Senate Bill 1325.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. At the request of the Hospital Association certain language was inserted and deleted to make it more clear, and I would move adoption of...that we do concur in...in House Amendment No. 1 to Senate Bill 1325.

PRESIDENT:

All right, the gentleman has moved concurrence. Any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1325. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does concur with House Amendment No. 1 to Senate Bill 1325 and the bill having received the required constitutional majority is declared passed. 1377, Senator Marovitz. Top of page 10, 1415, Senator Keats. On the Order of Secretary's Desk Concurrence, Mr. Secretary, is Senate Bill 1415.

ACTING SECRETARY: (MR. HARRY)

House Amendment No. 3 to Senate Bill 1415.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. 1415 passed here 58 to nothing. It amended the general banking...or general corporate banking structure, not a major bill, went to the House. They added a...effective date amendment in case the Madigan-Daniels game had destroyed all the...all the bills in the House. This is the vehicle we would have put them back on to. We've waited long enough. So, in that case, I simply ask that we accept House amendment and appreciate your affirmative roll.

PRESIDENT:

The gentleman has moved concurrence. Any discussion? If not, the question is, shall the Senate concur with House Amendment No. 3 to Senate Bill 1415. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, 1 Nay, none voting Present. Senate does concur with House Amendment No. 3 to Senate Bill 1415 and the bill having received the required constitutional majority is declared passed. Well,...all right, we'll move to the Order of Secretary's Desk Resolutions. The Secretary has some resolutions to read in. I'd ask the members to get their files

ready. It's Senators Kustra, del Valle, Mahar, Rock, Geo-Karis, Harovitz, Geo-Karis. Be on page 6 on the Calendar, if you'll just take a look to see if you got a resolution. We'll run through the resolutions to give everybody a chance to call their resolution. Resolutions, Mr...Mr. Secretary, sure.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 476 offered by Senator Newhouse.

PRESIDENT:

Consent Calendar.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 477 offered by Senator Donahue.

Senate Resolution 478 offered by Senator Severns.

Senate Resolution 479 offered by Senator Kelly.

And Senate Resolution 480 offered by Senators Savickas and Philip.

All congratulatory.

PRESIDENT:

Consent Calendar, Mr. Secretary.

PRESIDENT:

Messages from the House. Messages from the House.

ACTING SECRETARY: (MR. HARRY)

Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 3 to a bill of the following title, to-wit:

Senate Bill 47.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

I have like Messages on Senate Bills 47, 48, 49, 137, 226, 233, 236, 317, 319, 326, 327, 332, 337, 338, 370, 377, 378, 483, 484, 580, 652, 653, 696, 782, 783, 784, 785, 822, 836, 839, 897, 912, 942, 943, 1014, 1025, 1263, 1322, 1376, 1400, 1407 and 1506.

PRESIDENT:

Yes, there are some thirty-five bills here where the House has asked us to accede to their request for a Conference Committee. If there's no objection, Senator Philip and I will move that the Senate accede to the request of the House with respect to those bills that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and it's so ordered. All right, we'll move to page 6. Page 6 on the Calendar. On pages 6 and 7 and 8, on the Order of Secretary's Desk Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 134. No committee amendments.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Resolution 134 directs the Illinois Department of Revenue to study the impact of site valuation property taxation on localities, businesses and homeowners throughout the state. Site valuation taxation is a form of taxation which reputedly has helped other areas around the country rejuvenate its low-income and inner city areas. The Department of Revenue has no objection to doing the study. They felt that it was important that there be some message from the General Assembly about the need for this, and I would ask for the adoption of Senate Resolution 134.

PRESIDENT:

Discussion? Any discussion? If not, the question is the adoption of Senate Resolution 134. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate does adopt Senate Resolu-

tion 134. 152, Senator del Valle. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 152. No committee amendments.

PRESIDENT:

Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President and members of the Senate. The purpose of Senate Resolution 152 is to remind all parties involved that the Public Utilities Act requires that the ICC conduct construction and management audits in order to ensure that consumers are charged for only those costs which were reasonable. It also reminds them that the ICC should avail itself the full amount of time necessary and allowed by the provisions of the Public Utilities Act for the purpose of analyzing thoroughly all requests for utility rate increases. And, lastly, it reminds all parties that the General Assembly worked hard on the Public Utilities Act and did a very good job. The consumer safeguards that were built into the Act should not be ignored. I ask for the adoption of this resolution.

PRESIDENT:

Discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. First of all, and...and to respond to Senator del Valle's comments, I would like to set the record straight and I have something I would like to read into the record; because while the intent of this resolution was supported by everyone in committee, I believe just about everyone in committee, and probably by everyone in this House, there is some concern that the intent of the Public Utilities Reform Act is being somewhat changed by the wording of this resolution. "The Public Utilities Act provides that the Commerce Commission is authorized to conduct a management audit of a public utility only when it has reasonable grounds

to believe that such audit is necessary." This resolution, however, states that the Commerce Commission must conduct regular management audits. That is a distinct change from the Act. "The Public Utilities Act provides that the Commission is to conduct an audit of the cost of plants or additions to utility plants prior to including the cost in the rate base." This resolution, however, states that the Commerce Commission is to conduct construction and prudence audits before granting utility...authority to charge customers for new electrical generating plants. There's nothing in the Act that talks about prudence audits. "The Public Utilities Act provides that the commission may suspend the effort of new tariffs for a given period of time." This resolution, however, states that the Act specifies the amount of time within which the commission should consider any request for a rate. That is also new language. "The Public Utilities Act states that the commission shall not approve any proposed reorganization if the commission finds after notice and hearing that the reorganization will adversely affect the utility's ability to perform its duties under this Act." This resolution, however, requires a utility to demonstrate that a proposed reorganization would be in the best interest of utility consumers. The intent of that is quite different that is in the Utilities Act. When the rewrite of this Act was completed, the provisions regarding utility reorganization reflected a delicate balance between utility consumers' interests and allowing utilities the flexibility to reorganize and diversify. It is clear that this Assembly cannot by resolution alter the clear intent of the statutory language cited previously. To the extent that this resolution...invokes the law as it exists, that's fine. To the extent that it attempts to after the fact create new legislative intent for existing law, it is both inappropriate and incorrect. I am going to support this resolution as I did in committee because of the

intent of the resolution, but I do think that we should be careful about...passing resolutions that clearly attempt to alter the intent of the law and alter the language of a...of an Act that we worked long and hard to come to agreement on just a couple of years ago.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I...thank you, Mr. President. I understand what Senator Karpziel is doing and that's, I suppose, quite legitimate. I think the...the one thing that I would like to add is that I read the resolution very carefully before I voted on it in committee and I was also the principal sponsor of the bill that rewrote the public utilities law and I saw nothing in the resolution that in any way was contrary to the intent of the...of Senate Bill 1021 which is now the public utilities law as it was enacted and signed by the Governor. So, I think it's...the resolution is just fine in its pristine form.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. My understanding is that there is no amendment to this resolution, and without a...an amendment, I don't see how we can establish a separate legislative intent from what the sponsor of the resolution is pursuing. I think that the Public Utility Act is...is somewhat clear and we are directing the Commerce Commission to review the rate hike plans and not to improve any rate hike for new power plants unless those requirements are met. It seems rather straightforward and to try to read into the record a legislative intent that goes along with opponents of this resolution's view instead of offering an amendment to this resolution is circumventing the regular system that we use.

I think that the resolution is straightforward and should be adopted.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? If not, Senator del Valle may close.

SENATOR del VALLE:

I think it's important that the General Assembly send this message to the public and to the ICC and, therefore, I ask of...your favorable vote on Senate Resolution 152.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator del Valle moves the adoption of Senate Resolution 152. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 2, none voting Present. The Senate...Senate Resolution 152 is adopted. 233, Senator Mahar. 242. 262, Senator Harovitz. Senator Harovitz. Senate Resolution 262, Senator Harovitz. Wait a minute, Mr...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 262. No committee amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Harovitz. Senator Harovitz. Guess you wore it out. Senator Harovitz at Senator Welch's desk.

SENATOR WELCH:

This is not Senator Welch...

SENATOR HAROVITZ:

And please do not make a mistake about who's who here. Senate Resolution 262 has to do with designating May as Asian...American Heritage Month. The Governor has also recognized the...the Asian community, as has the President, and I would just like the Senate to go on record as also congratulating and designating the month of May as Asian-American Heritage Month along with the Governor, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Marovitz has moved the adoption of Senate Resolution 262. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 262 is adopted. 274, Senator...Geo-Karis. Senate Resolution 274, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 274. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Resolution 274 recognizes...asks that we recognize the week of September 6 to 12 as Polio Survivors Week in Illinois. We have had a number of people who've survived polio, many of them died when it first came about and before the...the vaccine came in effect, and I think it's a good thing to recognize the fact that we do have some polio survivors and I move the passage of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, Senator Geo-Karis has moved the adoption of Senate Resolution 274. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 274 is adopted. Senate Resolution 280, Senator Jacobs. Senate Resolution 280, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 280 with one committee amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Jacobs on Committee Amendment No. 1.

SENATOR JACOBS:

Thank you, Mr. President. Committee Amendment No. 1 simply changes some language to put in men and women of the fire service rather than just men.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Jacobs has moved the adoption of Committee Amendment No. 1 to Senate Resolution 280. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Committee Amendment No. 1 is adopted. All right, now, Senator Jacobs on the...on Senate Joint Resolution 280 as amended.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This resolution simply designates the third Sunday in May as Illinois Firefighter Memorial Day expressing our deep appreciation of the courage and dedication of the men and women in the fire service and ask for its adoption.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Discussion? If not, Senator...Senator Jacobs has moved the adoption of Senate...Resolution 280. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 280 is adopted. Senate Resolution 305, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 305. No committee amendments.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this resolution urges the Congress to take the steps towards welfare reform. I'm reliably informed that the Illinois Congressional Delegation is waiting for it with baited breath.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Discussion? If not, Senator Schaffer has moved the adoption of Senate Resolution 305. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 305 is adopted. Senate Resolution 325, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 325. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What the resolution does is to urge the ICC to evaluate the use of compressed air technology here in Illinois as a way of storing electrical energy underground. The...the...the importance of this is, I think it provides one viable way of significantly reducing electrical utility rates. That's the bottom line for this...resolution. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, Senator Etheredge has moved the adoption of Senate Resolution 325. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Resolution 325 is adopted. Senate Resolution 333, Mr. Secretary.
ACTING SECRETARY: (MR. HARRY)

Senate Resolution 333. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this recognizes the third week in July as Captive Nations Week by the people of Illinois. It follows in word a gubernatorial...proclamation as well as a Presidential proclamation, and I would seek your support.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Topinka has moved the adoption of Senate Resolution 333. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 333 is adopted. Senate Resolution 357, Mr. Secretary.
ACTING SECRETARY: (MR. HARRY)

Senate Resolution 357. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What this resolution does is to urge the Department of Energy and Natural Resources to conduct a study to evaluate the use of Lake Michigan water to recharge our...aquifers that are so extensively used in northeastern Illinois. This is a...a way that I think has...it has the potential of recharging those aquifers economically, lowering, even though perhaps by a little bit, the level of water in Lake Michigan but also solving the problem of radium in some of our municipal water supplies in northeastern Illinois. I would be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr...thank you, Mr. President. Only to be...to ask leave to be added as a cosponsor.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, Senator Joyce...Jerome Joyce has sought leave to be added as a hyphenated cosponsor to Senate Resolution 357. Leave granted? Leave granted. So ordered. Further discussion? If not, Senator Etheredge has moved the adoption of Senate Resolution 357. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 357 is adopted. Senate Resolution 365, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 365 with one Floor amendment offered by Senators Topinka and J. E. Joyce.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, Senator...Senator Jeremiah Joyce on the amendment.

SENATOR JEREMIAH JOYCE:

I...I think that Senator Topinka will explain the amend-

ment.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, in talking to Senator Joyce and commending him for his getting involved in the Northern Ireland issue and...and possible pension divestment or looking into the whole situation. We felt with this amendment that we could go further by holding Senate hearings on the subject so that we could become more familiar with the issue. I would like to, first of all, go on board with Senator Joyce as a joint sponsor of his resolution. The amendment would seek Senate hearings this summer with an effective date of December 31st, 1988... '87, sorry... '87 to report back to the Senate. There would be appointments from both sides of...of the Chamber with the inclusion of the chairman of the Pensions Committee, the minority spokesman of the Pensions Committee as two of the members, and that's what the amendment does.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Topinka has moved the adoption of Amendment No. 1 to Senate Resolution 365. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Now, Senator Jeremiah Joyce on the...Senate Resolution 365.

SENATOR JEREMIAH JOYCE:

I would ask that the Senate would adopt Senate Resolution 365, conditions so stated by Senator Topinka.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, Senator Joyce moves the adoption of Senate Resolution 365. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 365 is adopted. 367, Senator Kelly. Senate Resolution 367.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 367. No committee amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. This resolution requests the EPA to investigate the potential health hazards affiliated with Styrofoam containers and non-returnable bottles. It's been found that it might take...type things. It might take fifty to a hundred years for these to decompose in the landfill sites and this requests the EPA to investigate and to look into that matter...health matter.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, discussion? Senator Kelly has moved the adoption of Senate Resolution 367. Those...in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 367 is adopted. Page 7. Senate Resolution 397, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 397. No committee amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this...what this resolution does is oppose the adoption of a proposed US Nuclear Regulatory Commission rule which would allow the licensing of nuclear power plants without the state approved emergency evacuation plans. What the rule would do would allow the NRC to license reactors when state and local governments have failed to approve or refused to participate in the development of emergency evacuation plans. Under the new proposed rule, utilities would be allowed to develop and...implement their own emergency plans even though the plans may offer a lower level of public protection than would be obtained with-

out state cooperation. Some of the proposed plans we've witnessed in our own local area where we have nuclear power plants when the sirens and twenty-eight of thirty siren stations didn't go off at a particular test site. I would urge adoption of this resolution.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Welch has moved the adoption of Senate Resolution 397. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 397 is adopted. Senate Resolution 398, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 398. No committee amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator...Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This resolution merely calls for the State Board of Education to look into the role of the school nurses. They...they have no objection to this and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? If not, Senator Fawell has moved the adoption of Senate Resolution 398. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 398 is adopted. Senate Resolution 404, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 404. No committee amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate resolution 404 is a statement from the US Secretary of Education, William J. Bennett and US...Surgeon General, C. Everett Coup and the summary of the resolution is as follows, that education has a fundamental role in teaching young

people how to avoid the threat of AIDS, schools should teach young people about the danger of AIDS, the Federal Government has the responsibility to provide information to local educational authorities, the particular course content should be determined by state and local communities, but if sex education is taught, a discussion of AIDS should be included, abstinence should also be included and school officials should consult with parents, local public health officials and community members, and young people should be told the truth of the best way to avoid AIDS is to refrain from sexual...activity until as adults they enter into a mutually faithful monogamous relationship and I ask for the passage of this resolution. I think it's a very good statement of what the Surgeon General and the US Secretary of Education have put forth and I ask for the passage of this resolution.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? If not, Senator Geo-Karis has moved the adoption of Senate Resolution 404. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 404 is adopted. Senator Geo-Karis, while you're on your feet, with leave of the Body, let's go back and pick up on page 6 Senate Resolution 242. With leave of the Body, Senator Geo-Karis to handle that. Senate Resolution 242, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 242. No committee amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senate Resolution 242 which is being cosponsored...the initial...the lead sponsor is Senator Rock urges that the Greek Government grant immediate and unconditional amnesty to prisoners who fought so bravely against Communists during the

1945...and...through 1949 and who had been in prison since 1974. Now, I was in Greece in 1968 when...Colonel Papadopolous was in charge and he did a great job fighting the Communists. Let me tell you, the Greeks in Greece had more problems from the Communists than the Germans because...they were awful, I know, I had relatives who were hurt, killed and what have you. I would like to ask that this resolution be passed because we're asking for amnesty to these people who've been lingering in jail for at least thirteen years, and I move the passage of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

All right, discussion? If not, Senator Geo-Karis has moved the adoption of Senate Resolution 242. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 242 is adopted. Mike Flannery of WDBM-TV has requested permission to record the proceedings on videotape. Is leave granted? Leave is granted. Back on page 7 is House...I'm sorry, Senate Resolution 412, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 412. No committee amendments.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Resolution 412 creates a Senate Select Committee on the Kansas City to Chicago Route Corridor. It requires that the committee review all pertinent studies that have been made on the corridor. We may establish subcommittees and advisories and select committee may request and receive the assistance of all executive and legislative agencies and they report back to the Senate by 6-30 of '88.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Discussion? If not, Senator Luft has moved the adoption

of Senate Resolution 412. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Resolution 412 is adopted. Senate Joint Resolution 34, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Joint Resolution 34. No committee amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator O'Daniel. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, House Joint Resolution 34 urges Congress not to extend veteran status to persons with nonmilitary service. It is true that a considerable number of people did serve and support the war effort during various periods of conflict but did not serve on active duty in the military, naval or air service and did not take the Oath to Bear Arms, and I think this would be doing a disservice to the veterans to allow nonveterans the same benefits and privilege as veterans and I move the adoption of this resolution.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I assume that you are not including people such as nurses in this resolution. Am I right?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

I didn't hear, people such as who?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Fawell.

SENATOR FAWELL:

Such as...such as the nurses that served in the...I

assume those would still be considered military personnel?

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

I have a...hearing problem. I still don't know what you said.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Fawell.

SENATOR FAWELL:

I want to know if you are excluding nurses under this resolution?

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

She wanted to know if I was excluding nurses. No, not if they...served in the...in the military on active duty.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I would like to be added as a joint cosponsor. This is a good resolution. The nurses who served in...in all our wars had to be in the military service and they are not excluded, they are included; and I move the favorable passage of this resolution because, as Senator O'Daniel says, it's not fair to include others in the same capacity to people who have given lives and limbs and their...their freedom to give us our freedom.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Geo-Karis seeks leave of the body to be added as a hyphenated cosponsor of House Joint Resolution 34. Is leave granted? Leave is granted. Further discussion? Senator O'Daniel moves the adoption of House Joint Resolution 34. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 34 is adopted.

House Joint Resolution 37, Senator Jacobs. All right, House
Joint Resolution 37, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Joint Resolution...37. No committee amendments.

PRESIDING OFFICER: (SENATOR DEWUZIU)

Senator Jacobs.

END OF REEL

REEL 02

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 37 deals with the Citizen's Council on Women. Directs the Citizen's Council on Women to undertake a study of the status of older women in Illinois and to propose legislative solutions to the problems encountered by this group and it directs the Citizen's Council on Women to devise legislative answers or programs which the Department on Aging can implement and administrate. Ask for its...approval.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? If not, Senator Jacobs has moved the adoption of House Joint Resolution 37. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 1 voting Present. House Joint Resolution 37 is adopted. House Joint Resolution 73, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Joint Resolution 73. No committee amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Ralph Dunn.

SENATOR RALPH DUNN:

...thank you, Mr. President and members of the Body. House Joint Resolution 73 expresses the opinion that the Federal aid...

PRESIDING OFFICER: (SENATOR DEBUZIO)

...Senator Dunn...can we have come order, please. Senator Ralph Dunn.

SENATOR RALPH DUNN:

Fine. Thank...thank you, Mr. President and members of the Body. Senate...House Joint Resolution 73 would memorialize Congress to not levy disapporportionment costs on Illinois in resulting job dislocation by a passage of some severe acid rain legislation. The Governor and members of the Illinois Congressional Delegation are urged to work on meaningful Federal support of new clean coal technology development which would solve the problems without economic disruption. This is a...amendment...resolution...I'd urge adoption.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I just rise to oppose this resolution. You know what Senator Dunn is talking about is not passing any acid rain resolution through the Congress of the United States and I don't think we should tell them not to do that. You know, the problems with acid rain are many, number one, it kills trees and ruins forests even in southern Illinois. It ruins lakes, such as Lake Michigan, and it ruins our rivers and streams, it causes health problems when the acid rain mixes in the air and it comes up in dust, and you know all of you in this zip code areas that are subject to the auto emission tests should listen to this resolution. If you don't think acid rain adds to your problem of auto emissions in those areas, well, you're mistaken because it adds to the air pollution and it just may put you over the level whereby you have to have those tests in your particular zip code area. Maybe if we had acid rain resolution, you would be reduced below the point where your air would be clean enough that you wouldn't have to take those tests. You know, we sit here in an island in Illinois and because the wind blows east, we think we don't have a problem, but we're fortunate that states west of us are not heavily industrialized and they don't blow this garbage over on us,

but everyone east of us, including the country of Canada, have to put up with what we send out of our smoke stacks, and, you know, the coal industry in the state and some of the Senators representing them have been...have for too long been looking at this problem through coal colored glasses. The last five years I've had resolutions or legislation trying to do something that Illinois would at least take a first step to avoid this Federal legislation that's going to be overly burdensome and what the Federal Government sees is that Illinois is doing absolutely zero to try to contribute to the problem. Just this year, I had a bill in our Energy and Environment Committee that only received three votes. What it would have done was put a cap on three plants in the State of Illinois and tell them to clean up their act and we couldn't even get that out of the...the committee. So, what happens is here, you have no cooperation from the State of Illinois, we've buried our head in the sand and now the Federal Government, led by Congressman Henry Waxman of California, who doesn't have to worry about acid rain, is going to pass one of the toughest anticoal pieces of legislation you've seen and the cost isn't going to be disbursed throughout the United States as I tried to do in a...in a bill I tried to pass three years ago. What they're going to do is put it directly on those coal producing states and this is when, Senator, if the chickens that come home to roost because we've done nothing to try to contribute to the problem, we've just tried to stand in the way and the answer is going to come to us and it's going to be put down upon our backs by the Federal Government and we're going to say, what happened? Why didn't they consult with Illinois? Why didn't they ask us to contribute? Why didn't they ask us to put in our two cents? Well, we've tried in this Senate and its committees, has refused to help out and so now we're saying, oh, woe is me, they're going to pass this tough legislation.

Well, I hate to...say that I told you so, but I told you so.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Well, I couldn't...disagree more with the former speaker. I think this...this is a very important piece of legislation. What Washington is trying to do with the acid rain legislation could devastate the coal industry in Illinois and then we would have major problems. I think what this resolution is doing is asking Congress to look at the impact that it has on industry in Illinois and I think that we should pass it.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a most important resolution and I hope the membership is paying attention to this. The importance of the resolution, I think, is the second part of the...of...of the resolution which deals with urging the Illinois Congressional Delegation in Congress to work for meaningful Federal support of new clean coal technology development. If we could look at this in kind of a historical perspective, Mr. President, in terms of the Federal Government's role in energy and...and making energy save for use in this country. If you think back to the 1940's when nuclear energy was first entering into the realm of possibility, uranium was determined to be a very dangerous product. The Federal Government spent literally hundreds of millions of dollars cleaning that industry up, making sure that that energy was safe to use for commercial, for domestic purposes. The Federal Government spent hundreds of millions of dollars making sure that we could have nuclear energy and use it safely, and yet today, when the most plentiful resource of

energy that we have available in this entire country, coal, seemingly becomes a problem, and that hasn't been proven emphatically yet, but when coal becomes a problem, now the Federal Government wants to point its finger at specific states like Illinois and Kentucky and other states that...that have large beds of...of high sulfur coal and they say it's your problem, you clean it up, you make it safe to use. All this resolution does is say to the Federal Government, pay the same attention to this resource of energy, coal, that you paid to nuclear energy, to the use of other energy resources and help us find the clean coal technologies to clean it up rather than enacting legislation which is going to put thousands of our own people out of work. That's what the resolution does and that's why it's important and that's why we should pass it out of this Body.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, this is a very good resolution. When they talk about acid rain and they want to blame it on coal, they don't know what they're talking about. I was born in Greece and I can tell you in Greece there's loads of acid rain and we don't have any coal mines, and the fact that the Federal Government has sat on its duff instead of developing techniques and technology which would develop our coal resources...our vast coal resources makes me sick to my stomach. Most of the coal mines are owned by your big oil companies, they don't do anything about it. We have loads of miners unemployed and when I traveled up and down the state last year, I saw them in Havana, I saw them down in Herrin, Illinois, all over the place, and when Mr. Waxman takes upon himself to say...he's going to clean up acid rain because...he blames it on coal, he doesn't know what he's talking about either. I am telling

you right now, it's time that we sent a message to the Federal Government that we develop our coal resources meaningfully and technologically safe and it can be done. We're doing that right now at the University of Illinois in the geology department. I certainly support this resolution. I'd like to be added as a cosponsor.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I find it quite interesting that people on the other side of the aisle are sponsoring this...this resolution. When we tried to cap the excess capacity in the...last year in the...nuclear...or in the Utility Act, we were not successful and we couldn't...couldn't do that. Now, we've got about forty percent excess capacity through nuclear power plants. It just seems to me maybe we ought to supply electricity to the whole state with nuclear power, then we wouldn't have to worry about this excess capacity.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right, further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Recently, I had read a series of articles that were talking about acid rain, and apparently there is now beginning to be some very strong evidence that instead of...of coal being the main culprit, that it may, indeed, be pine needles, that when the pine needles drop and the water goes over the pine needles, it forms the acid and...and that's the reason Canada may be having some problems with acid rain. I think it ought to be investigated but I sure as heck don't think we ought to be condemning the coal industry before we really find out why acid rain is here and I would urge a very strong Yes for this resolution.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? If not, Senator...Welch for a second time.

SENATOR WELCH:

Well, it's curious that now, you know, in order to support this resolution, people are kind of saying that acid rain doesn't really exist and if it does, it certainly isn't from coal. This is...really an amazing debate on this resolution. I think we probably should send a copy of it along with the resolution to the Congress and let them see the arguments made on behalf of the resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Dunn may close...Ralph Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President and members of the Senate. I would urge adoption of this amendment. Between the Illinois industry...between the coal industry and the State of Illinois, we've spent over...invested over fifty million dollars of our funds in...of the utilities' funds and the coal companies' funds to research development projects. All we're saying is to the Congress...enact some meaningful legislation and don't penalize Illinois coal. We've had testimony in our committees from...people from the Illinois Geological Survey that have said the same thing as...as some of the other Senators said, there's no real evidence this acid rain is all...or even a large part of it caused by coal. I'd urge adoption of House Joint Resolution 73.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn has moved the adoption of House Joint Resolution 73. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 73 is...is adopted...your votes will be so indicated. House Joint Resolution 89, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Joint Resolution 89. No committee amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Davidson.

SENATOR DAVIDSON:

This resolution calls for the emphasis on the rural emphasis that the Illinois Government and it has to do with part of the task force from the Lieutenant Governor on the future of rural Illinois. I move the adoption of Amendment No...House Joint Resolution 89.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Davidson has moved the adoption of House Joint Resolution 89. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 89 is adopted. House Joint Resolution 96, Senator Fawell.

ACTING SECRETARY: (MR. HARRY)

House Joint Resolution 96. No committee amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This is a...a resolution that has been suggested by the...vocational schools and the State Board of...of Commerce, and all it does is ask that the State Board of Education look at the bonding problems that these vocational schools are having. The Higher Board of Education has no problem with this and I would ask a...a favorable vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Discussion? Senator Fawell has moved the adoption of House Joint Resolution 96. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays...Nays are none, none voting Present. House Joint

Resolution 96 is adopted. Senate Joint Resolution 29, Senator Berman. Senate Joint Resolution 29.

ACTING SECRETARY: (MR. HARRY)

Senate Joint Resolution 29 with one Floor amendment offered by Senator Berman.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Berman on Amendment No. 1.

SENATOR BERMAN:

Thank you. Senate Joint Resolution 29 created...creates the Judicial Advisory Council. In committee it was suggested that...that the original proposal that would be...all attorneys as members...legislative members should be changed and that's what the amendment does. It provides for three members of the bar and one member not of the bar to be appointed by each of the leaders. Move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Berman has moved the adoption of Amendment No. 1 to Senate Joint Resolution 29. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Berman on Senate Joint Resolution 29 as amended.
SENATOR BERMAN:

Thank you. As amended, the bill provides for a legislative council called the Judicial Advisory Council. The...the purpose of this council would be as a bridge between the Judiciary and the Legislative Branches of Government. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator...Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think this is the...it was hard to hear, but I believe this is the resolution that recreates the equivalent of the Judicial Advisory Council, and while I...don't have anything in particular against what it did while it was in existence and I was never a member thereof, I think it is relevant to point out to the Legislature that what we are doing is we are just recreating most of the...not most but a very large number of the commissions that we abolished in our great burst of reform enthusiasm a few years ago; and while I think all of us felt that we went too far at that time and abolished some that, in fact, did a great deal of good work that the...the answer to it is not just simply to go back and one by one to put them all back together again. It does seem to me that this is an area where we have standing committees with absolute, total relevance to the work of the Judiciary and that they well could form the Legislature's oversight and liaison to the Judicial Branch of Government, which I fully agree ought to exist and I don't really quite see why it is absolutely essential to recreate this commission again.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

A question of the sponsor. Question of the sponsor, I said. He'll yield?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Indicates...indicates he will yield. Senator Keats.

SENATOR KEATS:

God bless you, Mr. Pres. I couldn't hear in the noise earlier. Who's the member of this panel, again? The members? I could not hear and I apologize.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Berman.

SENATOR BERMAN:

There are sixteen members; if you recall in committee, they were all attorneys. We've changed that by amendment so that each of...each leader, one, two, three, four appoints four members, three of whom are lawyers and one need not be.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Keats.

SENATOR KEATS:

Art, I love you...did anyone listen to what Senator Netsch just said? If anyone was listening, she made some very persuasive arguments. Dawn, I think...think I'm the only one who was listening, but she made some very persuasive points. You know, we have Judiciary Committees, you know, and I don't mean to be cynical, but now we need twelve lawyer members of the General Assembly to go talk to the Judiciary to discover we need more judges, more clerks, more courtrooms and more money spent to benefit the Judiciary. You know, we've got enough pressure groups. You know, three of the four legislative leaders are attorneys now. They do occasionally hear from the Judiciary. I've heard once or twice they get...they get called. The Governor is an attorney. The Attorney General is an attorney. You know, you reach a point where how many liaisons do we need to be told by the Judiciary how to run the government? If you are going to have separate and equal branches, maybe the time ought to come when we accept the fact that we are separate and we are equal, something many of our members are unaware of, and I just think passing this is just an absolute waste and sets us up again to start to get back into this commission business, totally controlled by special interest groups, in this case, i.e. seventy-five percent attorneys who will now come back and tell us how to run the government.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I served on that Judicial Council and we didn't just talk about more courtrooms and more judges, and I get a little tired of having the lawyers pelted constantly because where would my colleague be without them when his new business? All I'm saying to you is...that's what you think, but anyway, wait till you get in trouble. All I can say is that what we've done through this Judicial Council...we've had new laws, but...there have been errors in the laws that we passed. The Judicial Council has found them out, has pointed them out to us and we have sponsored new laws to correct the errors and I think it's a good thing and I get a little tired of...just having people say, my gosh, the lawyers run everything. We only have three lawyers on the Republican side. We don't run anything. All I'm saying to you is it's a good council to have and I certainly support the resolution.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? If not, Senator Berman may close.

SENATOR BERMAN:

Thank you. I really didn't think that this resolution justified all of this debate, but let me suggest to you that there are certain areas of State Government in which a ongoing communication and a bridge is very useful, and let me point out to you that we did recreate through the Citizen's Assembly seven citizens' councils which I think have been functioning very well in...in seven specific areas including women, Senator Netsch, Commission on...the Council on Children and I didn't, by the way, stand up and say that the Council on Women wasn't important, you know, because I thought that that was part of your interest and I certainly supported you on it, Senator Netsch. I think that Mental Health was another one. We have a...a great degree of problems in the Judiciary and the Judicial System of Illinois. There are severe backlogs. We are being faced with new

initiatives in which there are not...adequate funds such as a new initiative regarding cutting down the backlog in the court system through an arbitration system. These things require an ongoing communication line between leadership in the General Assembly and the members of the Judiciary at all levels, that's what this council calls for. I'm rather surprised by Senator Keats' opposition. It was at his suggestion that we included nonlawyers on...on this...in this resolution and I'm always responsive to your suggestions, Senator Keats, but I think that it's important that we recognize the need of an ongoing communications between the Judicial Branch and the Legislative Branch and I solicit an Aye vote.

PRESIDENT:

Question is the adoption of Senate Joint Resolution 29. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 25 Nays, none voting Present. Senate Joint Resolution 29 having received the required constitutional majority is declared adopted. Senate Joint Resolution 54.

ACTING SECRETARY: (MR. HARRY)

Senate Joint Resolution 54. No committee amendments.

PRESIDENT:

Any amendments from the floor?

ACTING SECRETARY: (MR. HARRY)

No floor amendments.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Mr. President, currently, the...the state is responsible for about ninety percent of the unemployment...or the employment security system revenues in the form of state

unemployment insurance taxes. The Federal Government collects the remaining ten percent of the system's revenue, the majority of which is intended for funding the State Employment Security Program administrative costs. Currently, there is a buildup of about one billion dollars in surplus at the Federal level in the collection of the Federal part of those taxes in the employment security administrative account. This can't be used for any purpose other than financing...employment security programs. This resolution urges Congress to pass the Equity and Employment Security Financing Act which would release that one billion dollars for use to the respective states ensuring the financial viability of our state employment security system, and I would ask for a favorable vote.

PRESIDENT:

Discussion? Any discussion? If not, the question is, the adoption of Senate Joint Resolution 54. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present. Senate Joint Resolution 54 having received the required constitutional majority vote is declared adopted. SJR 57, Senator Topinka. RR. Secretary.
ACTING SECRETARY: (MR. HARRY)

Senate...Senate Joint Resolution 57. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the

Senate, this resolution urges the Chicago Board of Education to name the Near West Area School in Chicago to the Edwin Cudecki Language Academy. Edwin Cudecki was at the time of his untimely death, which was recently, and for over twenty years the director of the Bureau of Foreign Languages in the Chicago Public Schools, and I would ask your favorable response.

PRESIDENT:

Discussion? Discussion? If not, the question is, the adoption of Senate Joint Resolution 57. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Joint Resolution 57 having received the required constitutional majority vote is declared adopted. SJR 59, Senator Smith. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Joint Resolution 59. No committee amendments.

PRESIDENT:

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 1 offered by Senator Smith.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The amendment to Senate Joint Resolution No. 59 came about as the concern of the Republican colleagues of ours to increase the number of the members appointed by the majority...minority leaders to equal those of the major leaders. This amendment arised out of the concern of the Republican Committee and which I'm asking for the adoption.

PRESIDENT:

All right, Senator Smith has moved the...adoption of

Amendment No. 1 to Senate Joint Resolution 59. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further amendments.

PRESIDENT:

All right, Senate Joint Resolution 59, Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. This...joint resolution will create a Joint Committee on...Welfare Reforms to investigate different methods of reforms in the current welfare system. We all know that despite the use of many different methods to improve the welfare system used in this nation, little effective progress has been made in an enactment and an implementation of significant reform and this failure has caused severe problems in coping with the social and economic fallout of inept systems as evidenced by the fact that one-quarter of all children are born to poverty. I might say that we will...as a result of this, we will make a report to the General Assembly on December the 31st. In our final report, we will have subcommittees established in this and both President Reagan and Governor Thompson has called for comprehensive welfare reform packages and all such measures must be carefully analyzed, and I'm asking for your support in adopting this resolution.

PRESIDENT:

Discussion? If not, the question is the adoption of Senate Joint Resolution 59 as amended. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. Senate Joint Resolution 59 having received the required constitutional majority vote is declared adopted. Top of page 8, Senate Joint Resolution 61,

Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Joint Resolution 61. No committee amendments.

PRESIDENT:

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

No Floor amendments.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Thank you, very much, Mr. President and colleagues. Senate Joint Resolution 61 was an idea that was formulated by a number of Italian-American organizations throughout the metropolitan area of the City of Chicago and I'm sure is endorsed by Italian-American organizations throughout the country. It asks for the designation and renaming of I-80, that section which runs through Illinois, to be now known as the Christopher Columbus Expressway in honor of Christopher Columbus and certainly in honor of Italian-Americans that have contributed so greatly to the...formulation and the greatness of this country and I would move for its adoption.

PRESIDENT:

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I urge strong support for this resolution. It's most appropriate that Interstate 80 be named Christopher Columbus Highway for two reasons. One is that it was funded with government money, as Columbus' trip was, and, secondly, most of the people that travel it don't really know where they're going which was similar to Columbus' trip and, third, they really don't care. Seriously, I think we...we ought to honor probably the most famous of all Italian-Americans and...and a lot people across the country travel that road and we ought to do the honor, par-

ticularly in Illinois, for recognizing the fine achievements of this great Italian.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Also, I urge strong support for...Italian 80. Is that the highway we're going to call it, Italian 80? And the other reason I rise in support, that in August I will be traveling to Minnesota and I have a conference there with some Indians and the Indians are still discussing who discovered America, and I would like for them to come down to Illinois and show them that we have a stretch of highway for...Christopher Columbus and for them to lay to rest that it was us Italians who discovered America and that we helped their existence in this great country. So, I don't know what else to say. I'm screwed up here...

PRESIDENT:

...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I'm going to support this resolution but it's only fair to tell this Assembly that Christopher Columbus was a Greek and his name was Christopherous Columvous, but I don't mind supporting your resolution one bit because we were there first.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I'm very proud to support this resolution and I just want the members to know as our travelers come into Illinois through I-80 it comes right through the middle of the 39th Legislative District. I happen to be born on October 12th and I

think this is a great resolution.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I rise in support of this...resolution. I'm married to an Italian and I-80 goes through, so I welcome this resolution.

PRESIDENT:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I, too, support this, think it's a wonderful idea, with the footnote that, indeed, public money was used to finance this and it came from a woman, so let's give some credit to Queen Isabella for having the foresight to send Christopher off and running.

PRESIDENT:

Further discussion? Senator Zito, please close.

SENATOR ZITO:

Mr. President and members, I appreciate your consideration of this resolution and as I told the Executive Committee the day we heard this bill and it was unanimously passed seventeen to nothing, my grandmother and great-grandmother would be very proud of me to...for me to speak on the Senate Floor the only Italian I know,...(Italian phrase)...which means, "Thank you and enjoy your dinner."

PRESIDENT:

Question is the adoption of Senate Joint Resolution 61. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, 1 voting Present. Senate Joint Resolution 61 having received the required constitutional majority vote is declared adopted. Senate Joint Resolution

72, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Joint Resolution 72. No committee amendments.

PRESIDENT:

Amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

...correction, one committee amendment.

PRESIDENT:

Senator del Valle on the committee amendment, please.

SENATOR del VALLE:

Thank you, Mr. President and members of the Senate. Committee Amendment No. 1 simply increases the number of members to four.

PRESIDENT:

All right, Senator del Valle has moved the adoption of Committee Amendment No. 1 to Senate Joint Resolution 72. Discussion? If not, all in favor indicate by saying Aye. Opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. HARRY)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. HARRY)

Amendment No. 2 offered by Senator del Valle.

PRESIDENT:

Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President. Amendment No. 2 deletes two whereas clauses making this resolution identical to the House version.

PRESIDENT:

Senator del Valle has moved the adoption of Amendment No. 2 to House...Senate Joint Resolution 72. Discussion? If

not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. On the resolution, Senate Joint Resolution 72, Senator del Valle.

SENATOR del VALLE:

The purpose of this resolution is to establish a Joint Committee on Minority Student Access to Higher Education that will analyze the Chicago public school college preparation programs and course pattern offerings and the relationship to the IPHE undergraduate admission changes. We'll also analyze the Illinois Educational Partnership Act which allows for tutoring programs in elementary and secondary programs and, lastly, it will analyze the number of students from community colleges that enter four-year institutions. I ask for a favorable vote on Senate Resolution...Joint Resolution 72.

PRESIDENT:

Discussion? Discussion? If not, the question is the adoption of Senate Joint Resolution 72. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present. Senate Joint Resolution 72 having received the required constitutional majority is declared adopted. Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Well, Mr. President and members of the Senate, while we're on the Order of Resolutions, I would rise to move to discharge the Executive Committee from consideration of Senate Joint Resolution No. 77. This is the resolution that is sponsored by myself, Senator Philip and Senator Luft and it would call for a creation of a study committee to try to solve our problem of...solid waste. We know it's a major concern not only in the state but in each and every municipality. Senate joint resolution would set up a committee, a nonpartisan committee, where we'd have three members

appointed by the Minority Leader of the Senate, three members appointed by the Speaker of the House, three members appointed by the Minority Leader of the House and the Minority Leader of the Senate, the president of the Municipal League or his designee, the Mayor of the City of Chicago or his designee, one representative of county government appointed by the Governor, one owner or operator of a regional pollution control facility appointed by the Governor, one representative of solid waste haulers appointed by the Governor, one representative of environmental advocacy groups appointed by the Governor, the chairman of the National Solid Waste Management Association, Illinois Chapter or his designee; the director of the Environmental Protection Agency or his designee, the chairman of the Pollution Control Board or his designee, the director of the Department of Energy and Natural Resources or his designee and the Governor or his designee, and it's a reporting date back of January 1st of 1988, and I would seek your support in having this committee created so that we can try to address the problem of our solid waste concern. So, at this point, I would move discharge of the Executive Committee from further consideration and its adoption.

PRESIDENT:

All right, Senator Savickas has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 77. Discussion on the motion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The committee is now discharged. On the main question, the question is the adoption of Senate Joint Resolution 77. Discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would rise in support of this resolution by Senator Savickas, but I think it should be pointed out for the record that last year we passed the

Solid...Solid Waste Management Act, which was Senator Schaffer's bill, which was to address the same problems that the House joint resolution we're passing today is going to look into; however, some of the members of the waste industry have throttled that movement by contesting that law and holding up in escrow all funds collected by tipping fees at landfills to fund the Solid Waste Management Act. I think that we could resolve some of these problems if we had the money. Right now, we can't move forward at all because every single dollar we're collecting at landfills is being held up. I think that somebody should point out the fact that certain members of this waste industry are trying to circumvent the will of the Legislature and putting up a phoney lawsuit and keeping us from resolving the landfill crisis; however, I would support this resolution. Thank you.

PRESIDENT:

Discussion? Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Yes, I...I appreciate Senator Welch's concern and I am sure this committee will try to address that problem. I do have a question of the Secretary there. We had two copies here of the resolution, one, I understand...did not have the mayor of the City of Chicago or his designee in it, the other does, and I would...just make sure that we're passing the right resolution. I have LR03507366RWPFA.

PRESIDENT:

Question is, shall the Senate adopt Senate Joint Resolution 77. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Joint Resolution 77 having received the required constitutional majority vote is declared adopted. Messages from

the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 81. It is substantive.

And I have a like Message on House Joint Resolution 89.

House Joint Resolution 104.

House Joint Resolution 114.

PRESIDENT:

Executive.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 112.

Senate...House Joint Resolution 113.

House Joint Resolution 115.

House Joint Resolution 115.

And they're all congratulatory.

PRESIDENT:

Consent Calendar. Yes, Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendments No. 1...Amendment No. 1 to a bill of the following title:

Senate Bill...12.

I am further directed to inform the Senate that the House

of Representatives requests a First Conference Committee...First Committee of Conference.

PRESIDENT:

All right, Senator Schuneman, that's your bill. I presume we move to accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and it's so ordered.

SECRETARY:

I have a like Message on...with regard to Amendment No. 1...House Amendment No. 1 to Senate Bill 123.

PRESIDENT:

Senator Hawkinson also moves to accede to the request of the House. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. It's so ordered.

SECRETARY:

I have a like...I have a like Message on House Amendments 1, 3, 4, 5 and 7 to Senate Bill 126.

PRESIDENT:

Senator Hawkinson again moves to accede to the request of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate does accede to the request of the House. Resolutions.

SECRETARY:

Senate Resolution 481 offered by Senator Geo-Karis. It is congratulatory.

PRESIDENT:

Consent Calendar. All right. Ladies and gentlemen, we will move now to the Order of Committee Reports for the purpose of advice and consent to the Governor's nominees. Committee reports, Madam Secretary.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration to which was referred the Governor's Messages of March 4, 1987, April 23, 1987, June 4, 1987, June 23, 1987 and June 26, 1987, reported the same back with the recommendations that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointment set forth in his Message of March 4th, 1987, April 23rd, 1987, June 23rd, 1987, June 26th, 1987 and the Secretary of State's Message of June 4th, 1987.

PRESIDENT:

All right. You've heard the motion as placed by Senator Lechowicz. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate is now in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's message of March 4th, 1987, I'll read the salaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be the director of the Illinois Department of Revenue for a term expiring January 16th, 1989, Roger Sweet of Springfield.

Mr. President, having read the salaried appointment, will you put the question as required by our rules.

PRESIDENT:

Any discussion? Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. In regards...to Roger Sweet,

as an individual, you know, I like the man, but I guess, I don't know, maybe I'm a little paranoid being a freshman down here. I'm...I was concerned with some of the activities that went on before the election. And since this...Roger has been in there, I just get a notification from the Governor in addition to closing my veterans' office. I have the only office that is being closed in Revenue, and that's in the City of Rock Island. It covers a tremendous area, and I guess I have a problem with maybe...maybe the outlook of the whole department. I have a tough time trying to figure out why he wants to reduce the collectors whenever they...they bring in a dollar for every ten cents that it costs. And I just don't think that makes good sense and I think that Roger has got to get his head screwed on straight, if you will, and...and start listening and really look at that department and get...get it in shape. I think that the area that I've had the most complaints on in my county...in my district has been the Department of Revenue and the treatment that they receive from the higher-ups and...and I just don't see any cuts coming at the top, everything seems to be coming from the collectors who are really doing the job. And I think really, in all honesty and in all candor, I think I'd be remiss if I didn't state that the spoil system is alive and well in Illinois because he is replacing these collectors with auditors. Now, I think that's just a way to get around firing people and replacing them with patronage people, and I urge his defeat.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Well, thank you, Mr. President, I'd like to make a few remarks on this nomination, if I could. We have a very important question before us today and it's not just a question of approving Roger Sweet's confirmation as director of

the Department of Revenue, it's also a question of ethics. Do...do we reward someone or promote someone who is directly responsible for, as many Illinois newspapers and magazines have put it, political pornography? When you are a candidate, you expect to be tested but what do you expect to be tested upon are the issues. You sometimes expect those to be twisted so that you are a villain but you do not expect lies and innuendo to become the main issue of a campaign. And I'm not talking about the usual campaign rhetoric where Senator So-and-so was accused of not voting for a major senior citizen issue or education issue, I'm talking about brochures that were specifically authorized and passed out to every voter in my district which accused me of being a communist and a fascist and implied that I burned down a building when I was in college. Out and out lies. And I've said it before and I'll say it again, if Roger Sweet has proof of these allegations, then he should present it. I said that last October when they came out, I said that in the committee when he sat right next to me, there's been no proof, there's been no charges filed because none of these allegations are true. They were printed and distributed with the knowledge that they were not true. Mr. Sweet knew it, my opponent knew it, I knew it and many of the voters knew it, and the reaction in my district was one of repulsion, and many of the people who know me and my family and received that brochure mailed it back to the Republican Central Committee. But I guess I can take it, I'm back here. But the sad thing is that many people who did not know me in my district may have believed that brochure. The worst part of the matter is that many people who do know me, students at Northern Illinois University, people from my district, and even staff members down here have come up to me after that campaign and said that brochures like that and that type of negative campaigning is the reason why they will never get involved in elected poli-

tics. And that's a sad day, ladies and gentlemen, when lies and innuendo keep people of talent and people of ability and people who could make a difference down here out of politics. Now I know Senator Philip has taken it upon himself to shoulder the responsibility and blame for this brochure and the other negative brochures that were utilized. And, in essence, you...you said, Mr. Philip...Senator Philip, that you should not kill the messenger for the content of the message but I cannot buy that. The reason that I can't buy that is that after this brochure was distributed and the election was won, and after things started to settle down, two weeks later Mr. Sweet did not know when to quit, he continued his tirades, mailed a letter to the editors of every newspaper in my district two weeks after the election and said that he stood by everything in the brochure. He claimed he had proof of the allegations in that brochure but, as I said, they've never been brought forward, not to this day. Ladies and gentlemen, there were no facts in that story, only lies and innuendo and none of us in this Body subscribe to that type of campaigning. Campaigns are tough, hard fights and to quote Mr. Sweet, "When you run for office you're in a goldfish bowl, you're subject to scrutiny that John Q. Citizen is not." But you should not have to be subject to lies and innuendo. And if we confirm Roger Sweet today, we're sending a message to all those political hacks out there and those people who specialize in running negative political campaigns that it's business as usual. When you add to...that message the Supreme Court decision striking down an Illinois law requiring that any political literature be attributed to a particular source that...so that you can track it down, when that law was declared unconstitutional under the First Amendment, you can have these same types of brochures for anyone in this Body without anybody claiming responsibility and without any way to track down where those stories and lies

came from. Mr. President, voting No today on Roger Sweet's confirmation as director of the Department of the Revenue sends a message loud and clear that here in Illinois we're not going to put up with that type of politics. I would urge a No vote.

PRESIDENT:

Further discussion? Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As minority spokesmen on Executive Appointments Committee, it sounds to me like a rehash of the committee hearing, and, Mr. President, you were there, most of the leadership on both sides, a full complement was there, the media was there in full blast and Mr. Sweet was recommended 2 to 1 by the committee. And I just urge this body to confirm him. Thank you.

PRESIDENT:

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, members of the Senate, I rise in opposition to the confirmation of Roger Sweet as director of the Department of Revenue. I believe this department deserves a director with unquestionable honesty and integrity and this hasn't been shown in this case. This is a department that every member of the General Assembly must have a very close working relationship; our people have problems and concerns with the Department of Revenue and we have to have a...a very good working relationship with this department. This...this individual was Republican Chief of Staff and had the responsibility to elect Republican Senators and I have no problem with that as long as...he's honest and straightforward...what they done. I think, you know, that if...if we plan to have capable people serving in this...this Body, we must cease to use this negative campaigning, we'll

not be able to...to attract people out of the private sector that we'd like to have in...have in serving in this body. And, President Rock and Minority Leader Philip, you need to take heed to this. If you plan to have capable people in this great body that we have here, you must be very concerned about honesty and integrity and...and the type of negative campaigns that...that you run, and I have a lot of respect for this body of...of...of people we have here. Some of the things they...they used against me, I wouldn't even attempt to use them against Roger Sweet, not knowing for sure that they were factual. But I might tell you that there was five mass mailings that went out all over my district talking about myself and all; the first one he bragged on his...his grandfather as...as being a great Secretary of State, I didn't question that at all, had no problem with that; the second one he did, he came out and he made a full disclosure of his father receiving a bribe while serving in the Senate and going to prison for that; I was amused at the thing. The third one he...massed mailing went out on my district accused me of the grain embargo because I was an employee of...of President Carter's, accused me of...being a rubber stamp for use...Chicago and East St. Louis. Sure, here's East St. Louis right here beside me, he's my friend, I support him, I don't have any problem with that. Wondered how he'd...the fourth one...how they would ever know how G'Daniel accumulated his millions, that's a joke. But the fifth one is the one that really hit home; he accused me of selling land for four million dollars and not paying taxes on it, said I did not pay taxes on a...on close to a million dollars of income, not so. Accused me of selling my land to foreign interests, even had my friend, Babe Woodyard down at Effingham making statements that weren't true about the foreign sale. I didn't sell any land to foreign interests, I sold land on a contract for deed to people out of Decatur.

Surely the Republican Party is smart enough to know what a contract for deed is. And they used all of this misinformation. I talked to President Rock and I talked to attorneys, they said I had a case for a...for a lawsuit with this where they was accusing me of not paying my taxes and selling my land to a...a country that...a PLD country that laundered money. Now this is going too damn far, and I don't think we need a person that's responsible for things like this serving...as the director...of one of the departments of this state. And...and I would oppose his nomination.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr...Mr. President and members...of the Senate, Roger Sweet was chief of staff for the Republican Party and by being that responsible job, he probably did things he may not like to have done, what he thought in the heat of the battle would win a race, same as you did. Just look back a couple years farther and look what you did, you sent out a message in relation to Bob Winchester as if he was already...been tried and convicted, didn't say he was awaiting trial, you just said, you don't want to vote for this man 'cause he's been convicted of selling jobs, for openers. We've both been guilty of some very, very loose use of the English language trying to gain an upmanship on who would have a seat, but more important who would have control of the Senate. Roger Sweet done an outstanding job, been a career employee of this...this Senate since 1974...on to arose from being a weakest person,...I shouldn't say weak, the least inexperienced person on a Senate approp. to become chief of staff. I'm certainly he's done a lot of things that's had people upset, as you and I have, and as hopefully not but I'm sure some new staff in the future will do. The best thing is to go forward. I don't...haven't heard one of you...one of you

complaining about what he's done as director of revenue, he's done an outstanding job to my knowledge. He's treated everybody equally in the same, he's done what he was hired to do is run the Department of Revenue and has done an excellent job. I think that those saying what's gone is gone, let by-gone be bygones, let's get on with the order before us at this time and that is confirming Roger Sweet as director of Revenue for the State of Illinois.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. It is my intention to cast an Aye vote on this appointment. I think that from time to time campaigns have gotten out of hand. I find it particularly troubling in the case of Bill O'Daniel who, I imagine, probably campaigns with a higher standard than...higher standards than anybody in this body, and so it is more aggravating when this type of campaign is waged against him. Nevertheless, I believe that in the years that we've had the opportunity to observe Roger Sweet, his public service, he has served with integrity, he is competent and he is dedicated, and for those reasons, I am voting Aye.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 14 Nays, 7 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of

March 4th, 1987, I'll read the salaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be the director of the Illinois Department of Public Health for a term expiring January 16th, 1989, Doctor Bernard Turnock of Chicago.

Mr. President, having read the salaried appointment, will you put the question as required by our rules?

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of March 4th, 1987, I'll read the salaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be director of the Illinois Department of Nuclear Safety for a term expiring January 16th, 1989, Terry Lash of Springfield.

Mr. President, having read the salaried appointment, will you put the question as required by our rules?

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed

vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with the respect to the Governor's Message of May 21st, 1987, I'll read the salaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be the director of the Department of Veteran's Affairs for a term expiring January 16th, 1989, John W. Johnston of Springfield.

Mr. President, having read the salaried appointment, will you put the question as required by our rules?

PRESIDENT:

Discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, 2 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of May 21st, 1987, I'll read the salaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be assistant director of the Department of Veterans'

Affairs for a term expiring January 16th, 1989, James D. Rosas of Chicago.

Mr. President, having read the salaried appointment, will you put the question as required by our rules?

PRESIDENT:

Discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, 1 voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of April 23rd, 1987, I'll read the unsalaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a commissioner of the Central Midwest Low-Level Radiation Waste Commission for term expiring January 16th, 1989, Terry R. Lash of Springfield.

Mr. President, having read the unsalaried appointment, will you put the question as required by our rules?

PRESIDENT:

Discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nom-

inations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Secretary of State's Message of June 4th, 1987, I'll read the salaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Merit Commission for the Office of Secretary of State for a term expiring June 30th, 1993, Lucien B. Johnson of Salem.

Mr. President, having read the salaried appointment, will you put the question as required by our rules?

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, Does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of June 23rd, 1987, I'll read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be members of the Pollution Control Board for a term expiring July 1, 1990, Joan Anderson of Western Springs, Ronald Flemal of DeKalb.

To be a director of the Illinois State Toll Highway Authority for term expiring May 1st, 1991, Frank A. Gesualdo of Northbrook.

Mr. President, having read the salaried appointment, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Will you put the question as required by our rules, Mr. President?

PRESIDENT:

All right, the gentleman has sought leave to consider those nominees on one roll call. Without objection, leave is granted. If there's no discussion, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the...the record. On that question, there are 57 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of June 23rd, 1987, I'll read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Mill Metropolitan Exposition and Auditorium Authority for a term expiring December 1, 1991, Dorothy Mavrich of Joliet.

To be a member of the Mill Metropolitan Exposition and Auditorium Authority for a term expiring December 1, 1989, Gerald Frankovich of Joliet.

To be members of the Children and Family Services Advisory Council for terms expiring January 21st, 1991, Michael Horwitz of Elgin, Karyl Thorsen of Rockford, June Foster of Urbana.

To be a member of the Board of Agriculture Advisors for a

term expiring January 16th, 1989, Kevin McCarthy of Springfield.

To be a member of the Labor Management Commission for a term expiring July 1, 1988, Gerald Flaherty of Peoria.

To be a member of the Board of Trustees of State Universities Retirement System for term expiring September 30th, 1993, Eugene Flynn of Philo.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules?

PRESIDENT:

Discussion? Any discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, with respect to the Governor's Message of June 26th, 1987, I'll read the unsalaried appointment to which the Senate Committee on Executive Appointments, Veterans' Affairs and Administration recommends that the Senate do advise and consent.

To be director of the Prairie State 2000 Fund, Board of Directors for a term expiring July 1, 1989, Jacob Rendleman of Carterville.

Mr. President, having read the unsalaried appointment, will you put the question as required by our rules?

PRESIDENT:

Discussion? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I now move that we arise from Executive Session.

PRESIDENT:

The gentleman has moved that the Senate do now arise from Executive Session. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate does now arise. Resolutions.

SECRETARY:

Senate Resolution 482 offered by Senator Savickas. It is substantive.

PRESIDENT:

Executive. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

If I might, Mr. President, could I just explain briefly about one of the Conference Committees that involves the sales tax reform bill so that the members are aware of what has happened. Would this be an appropriate time?

PRESIDENT:

Yes, we are preparing to stand at ease for the...memorial. Yes, Senator Netsch, go ahead.

SENATOR NETSCH:

I thought that, yes. If I might have the attention of the members for just a moment, there has been appointed a

Conference Committee on Senate Bill 378 of which I was the Senate sponsor. That Conference Committee will not be meeting right now and there will be no report filed right now, but for your information, the sales tax reform bill that came out of the Governor's Revenue Review Committee, the so called Whitley Commission, will be printed as a draft...in its present form will be printed and made available after we go home to every member of the General Assembly. That will be the proposed...Conference Committee Report No. 1 on Senate Bill 378. It...we have all concluded that it is much too complicated to attempt to pass it before June 30th, before today or today, but we do want to have it ready to act on in the fall. The Senate and House Revenue Committees will hold hearings sometime before we return in the fall. In the meantime, all of you will have a draft and you can share it with those in your local communities who are interested in seeing it. It is a major piece of legislation and one to which many of us are deeply committed in principle, but you will have an opportunity to have input on it. So, bear in mind that when you get a copy of a draft Conference Committee Report on Senate Bill 378, that is the sale tax reform proposal and, hopefully, it will be ready to be acted on in the fall. Thank you, Mr. President.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. With leave of the Body, I'd like to have Senator Raica added as a hyphenated cosponsor to Senate Resolution 280.

PRESIDENT:

All right, the gentleman seeks leave of the Body to have Senator Raica shown as the hyphenated cosponsor on Senate Resolution 280. Without objection, leave is granted. All right, ladies and gentlemen, if you can stand at ease just

for a...a moment while our honored guests assemble and then we will begin the memorial service, after which there will be a reception in Room 212. Mrs. Bloom has indicated she would like to greet us all personally down in 212 after the service, so once the service is concluded, the Senate will stand in Recess for one hour to afford all of us an opportunity to visit. All right, Senator Luft, would you...Senator Luft will preside and if...if our special guests will come forward and I'd ask the members of the Senate to please be in their seats. WMOI from Peoria has requested permission to shoot some film. Leave is granted. I'd ask the members and the staff to please take their seats. We're going to try cut the traffic down, so we're going to close the doors. I'd ask all members to please take their seats...(machine cutoff)...Channel 25 from Peoria would like permission to videotape. Without objection. Ladies and gentlemen, we'll begin shortly. Also, Associated Press has requested permission to take some photographs. Without objection. All right, the members will please be in their seats as will the staff. I'd ask the doorkeepers to please keep the doors closed. The Chair will yield to Senator Richard Luft.

END OF REEL

REEL 23

SENATOR LUFT:

Thank you, Mr. President. Let me begin by saying it's an honor for me to be able to preside, and I thank Senator Rock and Mrs. Bloom. We will begin the ceremony with the invocation from Reverend Thomas F. Triebel who is the Associate Pastor of The First Federated Church of Peoria. Reverend.

REVEREND THOMAS TRIEBEL:

Won't you join me for a moment of prayer.

(Prayer given by Reverend Triebel)

SENATOR LUFT:

I would like at this time to introduce our special guests, Dianne Bloom, Supreme Court Justice the Honorable Ben Miller, Peoria Mayor and Mrs. James Maloof, former Senator Roger Sommer from Morton, former Senator David Leitch from Peoria, Peggy Alison, who ran Prescott's offices in Peoria. And I'd also like to announce that Representative Fred Turk is convalescing from heart...surgery and is unable to be with us at this time. We have with us also two individuals who will offer remarks, the first I will call upon is Lieutenant Governor George Ryan. Lieutenant Governor.

LIEUTENANT GOVERNOR RYAN:

Jean-Paul Sartre wrote, "One always dies too soon, and yet one's whole life is complete at that moment, with a line drawn neatly beneath it ready for summing up." On that cold January morning a year and a half ago when each of us received the news and the tragedy of Peoria, many of us were asked by reporters for a few words and for a brief comment. But how do you sum up in a few words a life as full and as involved as that of Prescott Bloom? It was a hard thing to

respond to, and it's an impossible thing to do immediately afterwards because the natural human instinct is denial, this just can't be true, nobody wanted to...to believe it. And then the shock sets in and you mumble a few of the pat phrases about what a fine man and what a great loss to Illinois and so on. But it's later when time has worn the edges off the grief that we all shared that we can really remember Prescott Bloom, the man; when we can sum up for ourselves what his life meant to us. I was a member of the Illinois House in 1974 when Prescott first came to the Senate, and it didn't take long to notice that he had a certain attribute that made him stand out from most other people. He refused to accept conventional wisdom and he took nothing at face value, and he always had questions that nobody else had, and he had new angles and he had new theories. And I can see him with those glasses half slid down on his nose and they didn't just slide there because he put them there intentionally, I think, so that he could look out over the top at them and ask some endless questions in debate...all corners with a wit and a force that really called for a reexamination of any issue. He always had to find out everything for himself, experience everything for himself, and, of course, the most widely known example of that occurred just a few months before his death when he posed as a derelict in Chicago to investigate Medicaid fraud. His undercover work resulted in five doctors being cut from the program and led to a write-up about him in People Magazine. But it was no surprise to those of us who knew him, he always had to check things out for himself. He was brilliant, at times irreverent; he was inspiring and he could be frustrating at times. But he never stopped thinking and he never laid back and coasted through life. Oliver Wendell Holmes wrote, "Life is action and passion; therefore, it's required of a man that he should share the passion and action of his time." Prescott Bloom

lived that action and that passion, and we're the richer for it because he shared it with us and he did indeed, die too soon.

SENATOR LUFT:

Thank you. The Chair will now recognize the Honorable Governor of the State of Illinois, James Thompson.

GOVERNOR JAMES THOMPSON:

Thank you, Mr. President, Mrs. Bloom, members and friends of the Illinois Senate. It occurs to me that over the course of the last year and a half we and others around the State of Illinois have attended or sent our best wishes and fellowship to an extraordinary number of events honoring a very young man. The proliferation of these services should by itself tell us how much Prescott meant to all of us, Republicans and Democrats, people from Chicago, people from downstate, people, indeed, from around the nation; for Prescott Bloom was known within legislative circles throughout America as a young, dynamic, innovative, new generation legislator. And it is fitting that we come back to this place where he served to honor him as he has been honored elsewhere in the State of Illinois and in his hometown. We do this essentially because I think we know that Prescott Bloom, when the occasion demanded, dared, and Prescott Bloom, when the occasion demanded, cared, and because all of us would like to be thought of in those terms that we dared to do what was right, what was appropriate against any odds when the time came, and that we cared enough, not just about ourselves, not just about our family and our friends and our hometown but about people, other people. And so, in honoring Prescott Bloom for those two simple qualities, daring and caring, we're saying, we'd like to be more like that, we can be more like that. I'd only like to add that both the suddenness of Prescott Bloom's death and the age at which it occurred ought to give all of us of any age and of any philosophy just a moment's

pause. We ought to leave this Chamber today and say, all the mistakes that I have made in my life, whether they were made a decade ago or yesterday, ought to be examined, learned from, put aside. And I hope, Lord, that given the shortness of life, whether it is taken from one suddenly or played out over the years, it's still, as the Lieutenant Governor so eloquently quoted, too short to get all those things done that need be done by compassionate human beings. Let tomorrow bring no mistakes, and if tomorrow brings mistakes, clear them away and learn from them day after day. Let Prescott's memory stand for compassion, forgiveness, learning, growing; he did, he would want us to. And that, I think, is a memorial to Prescott Bloom both worthy and one of joy. The time for grief is gone, the time for sadness is gone; the time to celebrate the life of Prescott Bloom and to learn from it and to let it inspire us is now. Thank you.

SENATOR LUFT:

Thank you, Governor. The Chair will now recognize Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

It is most fitting that the ceremony to honor Prescott is held in the closing hours of our Session, because it is...it is at this time, during the last days of June, that the realization of his passing is most upon us. For it was in the last days of June that his presence in this Body was most appreciated. During the closing hours when confusion and cross ways settle upon this Chamber, Prescott could rise and with a gesture or a laugh or a tongue-in-cheek inquiry of the Chair reestablish our perspective and restore our sensibilities. For us to speculate on what might have been almost invites an understatement of his many accomplishments and yet he is in the words of the poet, "A great promise interrupted." I believe Pres. would have been pleased with this ceremony, with this tribute, to know that we chose to

honor him in the same way that the soldiers and sailors of World War I and the Vietnam Veterans have been remembered. And it is my hope that some day long after your last campaigns have ended and your service in this Senate is all but forgotten that you may return to Springfield and pause for a moment on the northeast lawn and recall those late June days and the memory of a great promise interrupted.

SENATOR LUFT:

The Chair will recognize Senator Adeline Geo-Karis.

SENATOR GEO-KARIS:

Senator Luft, Your Excellency, Governor Thompson, Lieutenant Governor Ryan, Reverend Triebel, Mrs. Bloom and other distinguished guests. Prescott Bloom was an unusual person, he was a strong person, yet, he was gentle, he reminded me of the glove of velvet with the...the hand of steel. I remember him particularly on three instances which were very close to me. In one instance, there was some funding to be had and done for the Marina up my north end of the county and the appropriation was left out. And I went to Prescott and his good friend, Senator Sommer. I said, Prescott, you got to help me. I'll be in trouble, I'll be a ruined Bruin if we don't get this appropriation back home. Prescott, by some very brilliant parliamentary maneuvering managed to bring the appropriation back in, have it passed, and it went out and the Governor signed it. I owe that to Prescott Bloom from my whole entire district. The other instance that I remember; I had a bill, House Bill 91, which gave some inheritance tax relief. Prescott Bloom had the main bill which was a good bill and which is the present law on heritance tax relief, but when it went over the House after we passed it here, they bottled it up. Prescott came to me and he said, Geo, some so-and-so over there won't let my bill out, would you mind if I stuck my bill on to yours, the one you are sponsoring, 91? I said, be happy, go right ahead. He worked with young Tim

Martin on it, we passed it out of the Senate, it went into the House, eventually was passed and signed into law. So, we can thank Senator Prescott Bloom for the repeal of the inheritance tax law. The third instance of which I have spoken to him before he died, was the marvelous service he performed for the State of Illinois when, as Governor...Lieutenant Governor Ryan said, he went posing as a derelict to find out a lot about our Medicaid fraud and he did and he saved the taxpayers of Illinois a lot of money, he would have saved them more if he were allowed to live and tell all that he learned on that experience. Truly, Prescott Bloom if he'd...been born in another generation would have been a prince....a prince of the realm. As far as I am concerned, he is and was the prince of the realm of our legislative area. He was a gentle man, as the Governor said, he was a caring man and he was a daring man, and he was a kind person who cared about people. Prescott, wherever you're at today, I am sure you are with us, because I, for one, will never forget your talent, your sense of humor, your kindness and the...and the impression that you made on this General Assembly and on the whole State of Illinois. To know you was to grow richer because of knowing you and I felt and I feel enriched by having known you and having you be my friend.

SENATOR LUFT:

The Chair will now recognize Senator John Davidson.

SENATOR DAVIDSON:

Dianne, other members of the party, Prescott Bloom, who I had the privilege of my seatmate on his freshman year, I don't know who was guiding who, to be real honest about it, but Prescott Bloom is a person who will be missed. He was many things, you could say he was daring, he was caring, he was compassionate. He led when freshmen Senators were following; he led when he was a member of this Senate in his

entire time. He was an individual whose time had arrived to go forth to do what he set out to do. He led all of us to a higher level, to a higher service, to a higher commitment, to our people through our constituents and to the people of Illinois. Prescott Bloom was one of those unusual individuals who passed quietly, who passed with daring, but most of all, he passed with compassion, he had feeling for each and every one of us from the bottom of his heart; and for that and from that is what the most of us should remember, that he was a compassionate man to have all of us be a compassionate human. He will be missed.

SENATOR LUFT:

The Chair recognizes the Senate President, Senator Phil Rock.

SENATOR ROCK:

Thank you, Mr. President, Reverend Clergy, Governor, Dianne, distinguished guests. In Ulysses, Tennyson wrote, "Much have I seen and known, cities of men and manners, climates, councils, governments, myself not least but honored of these all in drunk delight of battle with my peers far on the ringing plains of windy Troy. I am part of all that I have met, yet all experience is an arch where through gleams that untraveled world." A year and a half ago those of us in this Chamber, our own, I suppose, windy Troy, lost a fellow traveler. But he was and is today a part of all of us, and how appropriate it is, as Senator Joyce pointed out, for us to take time on June 30 to pause to remember Prescott Bloom. Because somehow we know that he is looking down on this last day of Session, a day in which he delighted; he delighted in dropping into our offices, always unannounced, for some serious and not so serious end of Session conversation and observation. And peering over his glasses with a smile on his face, Pres. Bloom had the very rare quality of a politician to take what he did very seriously without taking

himself seriously. He drank in the delight of battle in this Chamber and always with the sharpest of intellect and wit and yet never hurt anybody. And as Tennyson said, "All experience is an arch where through gleams an untraveled world." We are all grateful for having traveled with Prescott Bloom, even for a short time. Our state is a better place in which to live and to work because of him, and we are better people, each of us, for having known and befriended him, and for that we are all thankful.

SENATOR LUFT:

The Chair now recognizes for closing, Senate Republican Leader, Pate Philip.

SENATOR PHILIP:

Thank you, Mr. President, Dianne, honored guests. There really isn't much I can add to the comments that have already been made. Prescott Bloom was a fine legislator, a loving father and husband. Prescott was a brilliant student of the political process, took his job in the General Assembly seriously but never so seriously that he was unable to laugh at himself. He had a real love for life and a wonderful sense of humor. He was never pompous, self-important and always kept things in perspective. There isn't any doubt in my mind, Prescott would have gone on to a much higher office, and there isn't a day that goes on...goes by in the Senate that we don't miss his talent, his energy, his humor. The two things I remember about Prescott, his floating through my office unannounced, uninvited, with a wave and a smile on his face. The other thing I remember about Boomie was his humor and his nicknames. He had a nickname for just about everybody. Some of them that come to mind are the Governor, he normally called him the tall one, sometimes cone head. Senator Sommers was the dog, Senator Welch was popcorn, Senator Philip was the big elephant. I think the best way to conclude this ceremony is simply to read the plaque that will

be placed on the Capitol grounds, "In memory of Senator Prescott E. Bloom, 1942-1986 of Peoria, and all persons who have passed away before reaching their full potential."

SENATOR LUFT:

Thank you, Senator Philip. That concludes our Floor ceremony. There will be a reception in Room 212 immediately following. Once again, my thanks to Senator Rock for allowing me to proceed and to all of you here for caring. The Senate will now stand...Senator Rock.

SENATOR ROCK:

Yes, we're all cordially invited to Room 212 to visit with Dianne, and we will stand...the Senate will stand in Recess for one hour.

RECESS

AFTER RECESS

PRESIDENT:

All right. Ladies and gentlemen, let me share with you where we are. We will begin on Supplemental Calendar No. 2 and we have already enough Conference Committee reports filed for a third, fourth and fifth supplemental. So we will just continue working until we conclude our business, I hope. I would ask the members to operate with some due diligence. We will have Supplemental No. 3 passed out shortly, the Secretary informs the Chair. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Well, Mr. President, Ladies and Gentlemen of the Senate, yesterday we took final action on the Auditor General's appropriation. I am told that there is a technical amendment that, frankly, doesn't track and, as a result, I would have to move to reconsider the vote by which House Amendments 2 and 4 to Senate Bill 237 were adopted for the purpose of

nonconcurring with those two amendments so that the House, in effect, then could recede from those two amendments so that the bill in its final pristine form would be able to be operative for the Auditor General.

PRESIDENT:

All right. Senator Demuzio...Senator Weaver, on this question?

SENATOR WEAVER:

Well, I was just wondering, can't it be taken care of by an amendatory veto by the Governor?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Weaver, I'm not prepared to answer that question, I don't...I don't know the...logistics right now. If...if you like, why don't we just move to reconsider and have the issue back before us and at that point let me discuss with the staff whether or not it, in fact, can be done. I don't know the answer.

PRESIDENT:

All right. Senator Demuzio having voted on the prevailing side moves to reconsider the vote by which House Amendments 2 and 4 to Senate Bill 237 were concurred in. All in favor of the motion to reconsider indicate by voting Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The vote is now reconsidered. Now before the Body is the question of Senate Bill 237. On the Order of the Secretary's Desk Concurrence then is House...is Senate bill 237 with House Amendments 2 and 4. Senator Demuzio.

SENATOR DEMUZIO:

Yes, Senator Weaver, I am...I am told that amendatorily

vetoing will not resolve the...the problem because it...it is a restoration of certain line items. So I would move to nonconcur with House Amendments 2 and 4 to Senate Bill 237.

PRESIDENT:

All right. Senator Demuzio has moved to nonconcur in House Amendments 2 and 4 to Senate Bill 237. Those in favor will say Aye. Opposed...No. The motion carries and the Secretary shall so inform the House. Turn your attention to Supplemental Calendar No. 2. That's Senators Netsch, Luft, Berman, Jacobs, Hudson, Severns. Conference Committee Report on House Bill 1167, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 1167.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you...thank you, Mr. President. I would move that the Senate adopt Conference Committee Report No. 1 on House Bill 1167. The Conference Committee Report does four substantive things all of which we have seen before in the Senate. This is one of a couple of, and I hesitate to use the word, Christmas tree revenue bills which are essentially technical matters or things...we have already voted on in the Senate. The first is, Senator Davidson, it incorporates your Senate Bill 294 which the Senate had earlier passed which allows the...an exemption from the sales tax to senior citizen centers where they are getting materials that are hand-made and given to them for resale. It is not a major revenue matter to put it mildly and it just involves doing away with a lot of...of administrative nonsense. The second thing that it does is, Senate Bill 1033 which was Senator Savickas' bill designed to put another category of motor vehicle out of the sales tax and under the five percent automobile rental tax. The problem was to find the right definition and it has now

been further refined so that it is vehicles of the second division which are those carrying more than ten persons with van configurations, and it is my understanding that the Department of Revenue has approved this definition; that is, it does no more nor no less than was originally intended. The third thing that the bill does is to incorporate Senate Bill 56, which was Senator Watson's bill, passing...which passed the Senate earlier 56 to nothing and that has to do with conducting...permitting the...the conduct of Bingo for two successive days during which the current statutory limit of twenty-five games per day shall not apply. The current statutory prize limit of two thousand two hundred and fifty per day also will not apply if only noncash prizes not exceeding one hundred and fifty dollars per game are awarded. Again, that is a bill that previously passed here 56 to nothing. Finally, the fourth thing that the bill does, which I personally don't like but I understand needs to happen, is that it restores the existing law with respect to transfer of cigarette tax money to the McCormick Place Fund. The existing law provided for transfer of a half mil maximum of 4.8 million dollars per year, that has been going on for a long, long time. The...a couple of amendments along the line took it out, this restores that language to the...where it is right now in existing law. Those are the four substantive contents of House Bill 1167.

PRESIDENT:

Any discussion? Any discussion? Allow the Chair just to alert the members to the fact that Supplemental Calendar No. 3 is now being distributed or will be shortly distributed. That's Senators Demuzio, Hawkinson and D'Arco. Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1167. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

Have all voted who wish? Take the record. On that question, there are 58 Ayes, 1 Nay, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1167 and the bill having received the required constitutional majority is declared passed. Senator Luft. All right. On the Order of Supplemental Calendar No. 2 is a Conference Committee Report with respect to House Bill 1174. Madam Secretary.

SECRETARY:

Conference Committee Report No. 1 to House Bill 1174.

PRESIDENT:

Senator Carroll. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that the Senate adopt Conference Committee Report No. 1 to House Bill 1174. There were two changes in the bill, it dealt with Senate Amendment No. 1 and House Amendment No. 5. Senate Amendment No. 1 as reported from the House eliminated from the annual advertisement the requirement that names of the owners of tax delinquent property be published. Senate Amendment...No. 1 reinstated the requirement and the report recedes from the Senate amendment thus repealing the requirement that the names be published. In dealing with House Amendment No. 5, it allows...it...we added that amendment which allows certain forestry land in Cook County to be assessed at one-sixth the assessment level of crop land within the county. This portion of the report was...been drafted with the...cooperation of the Office of the Cook County Assessor.

PRESIDENT:

Discussion? Any discussion? Senator Keats. All right. Ladies and gentlemen, I'm going to have to ask you to settle down a little bit. Members please be in their seats and the staff please take the conferences off the Floor, an awful lot of paper flowing around here. Senator Keats.

SENATOR KEATS:

...question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Keats.

SENATOR KEATS:

Dick...Dick, we're asking a question. A question from those of us who represent north and northwest Cook. We see this forestry land exclusion which is fine, we don't know who that is, but we notice one person who does have forestry land is personally excluded, his property, why are we being nice to three and sticking it to a fourth? Is there some reason for this we're unaware of?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

I think if Senator Macdonald is listening...this was her bill. Senator Macdonald, if you would like to explain the provisions of your bill which was Senate Bill 226 which allows certain forestry lands to be assessed at one-sixth the assessment level of crop land within the county, I think it had something to do with the Department of Conservation.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Well, Senator Keats, this amendment was agreed upon by me, this went through with the House and there is no...no problem with this at this particular point. This is the compromise on my bill so we have agreed to it, so I, you know, I'd be happy to try to go further if you want me to.

PRESIDENT:

Discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1174. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish?

MS 1924
C.E.R.

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, 1 Nay, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1174 and the bill having received the required constitutional majority is declared passed. Senator Berman. On the Order of Supplemental Calendar No. 2 is a Conference Committee Report, Madam Secretary, with respect to House Bill 1924.

SECRETARY:

Conference...Conference Committee Report No. 1 to House Bill 1924.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 1924 was the Legislative Reference Bureau bill. The Conference Committee Report does three things. Senate Amendment No. 1 is deleted. That provided that the Reference Bureau in setting and collecting fees relating to the electronic processing of its statutory memory system shall cooperate with the Legislative Information System. This...amendment was intended to reflect current practice. The amendment seemed to imply that such fees are mandatory rather than permissive and, therefore, the amendment was deleted. It does not preclude the Reference Bureau from continuing to cooperate with LIS with respect to fees. Secondly,...secondly, the report retains the language of the original bill which clarifies the time frame during which the Reference Bureau is to prepare its eighty...its biannual revisory bills. This language also was intended to reflect current practice. Thirdly, the report specifies that the chapter and paragraph numbers that identify the statutory law of this state as reprinted in the Illinois Revised Statutes are official. The Reference Bureau role in maintaining such

SB 682
1st Conf. Comm. Report

official numbers is also...specified and reflects in large part the current practice. Be glad to respond to any questions and I solicit your Aye vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill...1924. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1924 and the bill having received the required constitutional majority is declared passed. If I can have the attention of the membership, the IIS, Illinois Information Service, has requested permission to tape the Senate proceedings. Without objection, I assume, leave is granted. 682, Senator Jacobs. On the Order of Supplemental Calendar No. 2, Madam Secretary, is Conference Committee Report with respect to Senate Bill 682. Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 682.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move adoption of the Conference Committee Report on Senate Bill 682. Senate Bill 682 contains much the language that originally was in House Bill 1072 and it includes the provisions that have been voted on by this committee...I mean, by this Body and most of them come out unanimous. The report includes the engineers' and architects' language...it takes care of a...jurisdictional boundary dispute and that was changed to take out the...retroactive provision, so that

has been met, and then some language regarding to the length of...contract and then also some transportation language. One other feature that was added...and if you'll look, you'll see that a number of the committee members did not sign the report. The main reason for that was in regard to the Illinois Emergency Services and...Disaster Agency Act of...one-half percent of the full fair cash value as equalized. Then we found out that at that time the Taxpayers' Federation, the Realtors' Association have signed off on that. They're not in opposition, would ask for your support.

PRESIDENT:

Discussion? Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Question of the sponsor, if he will yield.

PRESIDENT:

Sponsor indicates he'll yield if he can hear...ladies and gentlemen, can we have some order?

SENATOR SCHUNEMAN:

On...on House Amendment No. 5, our...our staff analysis or the printout from LIS rather indicates that that's an amendment that...oh, I'm...I've got the answer to my question. Thanks, very much, you've been...fine.

PRESIDENT:

Further discussion? Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. I wonder if Senator Jacobs might just address that one point in a little more detail. The emergency services and disaster tax rate increase is, as I recall, one that was passed earlier in a separate bill in the Senate, and I'm sorry I can't find my notes or remember right now precisely the number of that bill, but my recollection is it passed rather comfortably and that there was a valid reason given at the time. You might help some of the members by

repeating that.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

My...thank you, Mr. President. If...Damn, if the...my memory serves me correct, it was one that was inadvertently taken out two years ago and it was asked to come back in because of the emergency situation.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Yeah, I think that is correct. I'm sorry, I still don't remember the number of the bill. I think it was Senator Karpel's bill, if I remember correctly, but in any event, it was considered really just restoring something that had been inadvertently eliminated and I think it was considered acceptable on that basis.

PRESIDENT:

Discussion? Further discussion? Senator Jacobs, you wish to close?

SENATOR JACOBS:

Just...just ask for favorable support.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 682. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 7 Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 6-3-2 and the bill having received the required constitutional majority is declared passed. Senator Hudson. On the Order of Conference Committee Reports, Madam Secretary, there's a Conference Committee report with respect to Senate Bill 918.

SB 918
C.E.R.#1

SECRETARY:

Conference Committee Report No. 1 to Senate Bill 918.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate do concur with the Amendments No. 1 and 2 to Senate bill 918, the First Conference Committee Report. What happened on this particular bill, it went over to the House on our Agreed Bill List, the House made substantial changes in the bill; as a matter of fact, they...their amendments really replaced the original bill, and came back to us and I moved to nonconcur so that all interested parties would have a chance to study the provisions of what was then a new bill. That has been done and what the measure does...what the amendment does is to...basically the amendments pull the regulation of trust companies into one Act, they retain the language of the original bill, Senate bill 918; flush them out with the provisions of House Bill 2793 and adapt a number of analogous sections from the Banking Act to trust company language and adopt existing trust company sections. There is...some new language but the amendments have been signed off on by the commissioner and the...and the industry and all interested parties. The report has been signed by all conferees, and I, again, would move that we adopt this Conference Committee Report.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 918. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting

JB1400
C.C.R.

Present. The Senate does adopt the Conference Committee Report on Senate Bill 913 and the bill having received the required constitutional majority is declared passed. Senator Severns. Madam Secretary, on the Supplemental No. 2 on the Order of Conference Committee Reports is a Conference Committee Report on Senate Bill 1400.

SECRETARY:

First...Conference Committee Report on Senate Bill 1400.

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move for the adoption of the First Conference Committee Report to Senate Bill 1400. The changes in this report include House Amendment 1 exempts Canada from the...from the provisions of SB 1400, House Amendment 2 indicates that domestic content will include fifty percent in 1988, sixty percent in 1989, seventy percent, 1990 to '92. The additional provision of this includes a sunset provision in five years. Senate Bill 1400 is an attempt to send a message to Central Management Services that we should buy in Illinois and America first before we so casually go out and purchase foreign goods with Illinois tax dollars. What we are talking about is an issue of fairness. Today our country suffers from a sixty billion dollar trade deficit just with Japan. For every one billion dollars lost, it translates into twenty-five thousand jobs lost in this country. Let us not contribute our Illinois tax dollars to the loss of additional jobs. Let us commit ourselves to buying in Illinois and America first. I urge the adoption of the Conference Report on Senate Bill 1400.

PRESIDENT:

Discussion? Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. What the amendments have done here to Senate Bill 1400 really makes a bad bill worse, in my opinion and that of many others. Started out as the so-called Buy American bill; you may recall, we had quite a discussion on the Floor here about it. It sounds good but, believe me, it's going to make...problems for the State of Illinois, CMS and in...in the purchase of...of products. And what the amendment does now is changes the definition of domestic products would mean that those companies whose product line consists of fifty percent U. S. or Canadian content during 1988, sixty percent U. S. or Canadian content during...1989, and seventy percent U. S. or Canadian content during 1990, 1991 and 1992. In other words, CMS would have the...would have the obligation and the duty if it can perform in this way to determine the percentage of these products it's...it's buying; and I will suggest to you, ladies and gentlemen, that this is a tremendous responsibility, if not an almost impossible one, to place upon one of our state agencies as it considers the purchase of products. And also it...it strikes me that I think the agency is under obligation to purchase products at the...at the lowest bid level. I may be wrong on that, I don't think so. But it's...it complicates the picture immensely although the bill is, as I have indicated, wrapped in the flag, and those types of things I'm usually inclined to favor, but in this case I don't think...I think we're defeating the very purpose that we intend to serve in this case. And I would have you all think deeply and seriously before you cast an Aye vote, and I would recommend a No vote on this particular issue.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and members of

the Senate. As you recall, we debated this issue at some length back several weeks ago and we...we shared with the good Senator our concerns on this side of the aisle. And I think were...were told at that time that this was simply an attempt to...to send a signal to what seemed to be maybe a...a...an area of concern that we...we needed to deal with. But our concern, of course, was that we might go a bit farther down the road, maybe next year, the year after; well, we didn't have to wait until the next year or the next year after, we're doing it already this year. So, Senator, I would suggest to you, you are doing exactly what we thought you would probably want to do and probably next year we'll come back with an absolute prohibition. And I think this is going to be an interesting roll call here because this is quite a departure from where we were several weeks ago and a movement, in my judgment, in the wrong direction, it ought to be defeated.

PRESIDENT:

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. Would the sponsor yield?

PRESIDENT:

Indicates she'll yield, Senator Woodyard.

SENATOR WOODYARD:

...in a specific sense, I have a plant, General Electric Plant, in Danville, Illinois that manufactures ballast that are...and some of these are sold to the State of Illinois. The coils within those ballast are actually wound and...and with the product in Mexico and then they're shipped back up here for assembly. Would this mean that the State of Illinois...if...if...over fifty percent of that product were put together down in Mexico that they couldn't sell any ballast...electric ballast to the State of Illinois?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Senator Woodyard...I realize that earlier Senator Hudson still refers to the product line; well, that language has changed, it's fifty percent of the product, of course, which includes materials, labor, it's not product line, it's product. So if fifty-percent of that product is a product...made here in America or in...well in the United States or in Canada, we could well purchase that product with these guidelines.

PRESIDENT:

Senator Woodyard.

SENATOR HOODYARD:

But if...if...but if fifty percent or over fifty percent of that product line, in this case a ballast for...for an electrical...light, is made down there, we...we wouldn't be able to buy it?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Again, Senator Woodyard, I said product, you keep referring to product line, as did Senator Hudson. We've changed that language, and I understand, that was part of the original language, we've changed that language and now it's the product, not the product line.

PRESIDENT:

Further discussion? Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. On tomorrow when I return to the City of Chicago and drive through the southside where once plants with working men and women flourished, we'll see the same men and women standing, looking and hoping that a welfare check will be there. That's because we shifted all

them jobs to down in South America to South Africa and everywhere else, and for me to stand on the Floor and hear the concerns of people crying about what's going to happen in South America or South Africa or Canada makes my heart bleed...makes my heart bleed. When I must ride back there after taking nothing home from this General Assembly and cutting public aid and cutting the schools and cutting the cut that...to return and we going to worry about what's happening in South Africa. This is a good bill, this will put men and women back to work and them plants on the southside of Chicago and the west side of Chicago and in Peoria and in southern Illinois, that's what we're talking about, let's pass this bill.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President, if she will yield.

PRESIDENT:

Sponsor indicates she will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

I...I heard you mention Central Management Services, but I assume this applies to all agencies of...of government, does it not?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Yes, Senator, it...it applies to all State of Illinois purchases.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

How many individual commodities are purchased in a year by the State of Illinois?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

I doubt that there's anybody in our entire State Government that knows the answer to that question, I certainly don't.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, that's an interesting answer because it seems to me that what you're requiring the purchasers of those commodities to do is to undertake some kind of study which is going to take some kind of time and some kind of money to find out on every individual commodity whether or not it passes this particular test. And I submit to you and to the members of the Assembly that that is a...that's...that's not a small undertaking. The other...and to the bill, Mr. President. The sponsor says that this bill will send a signal to CMS. Well, I'd suggest to you that it sends a whole lot more than a signal, it sends a tremendous workload and a tremendous responsibility in my estimation. The other thing I want to point out is that...that...bills of this kind while well-intentioned it seems to me are soon going to wind up on the doorstep of Illinois agriculture and other Illinois producers. I think this is the wrong way to go, I understand why you're doing it but I simply think the...the people that are asking for this while well-intentioned are...are on the wrong road.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates she will yield, Senator Fawell.

SENATOR FAWELL:

Senator, could you tell me what happens if we buy a product and after we have bought it, its...we find out that it doesn't fulfill the requirement, I mean, do we...do we send it back or, you know, does somebody's hand get slapped, I mean, what's the penalty that's involved if somebody goofs?

PRESIDENT:

Senator...

SENATOR FAWELL:

And it's...fifty-five percent produced in...in someplace else?

PRESIDENT:

Senator Severns.

SENATOR SEVERNS:

Senator...Fawell, there is no...there is no provision for that kind of mistake or goof, as you call it, in the bill. Again, its intent...the intent of the bill will include an affidavit that will be signed that the provisions of the bill have been met and that's the requirement. Until we would realize that the intent had been violated, there's no provision...enforcement provision in the bill right now to deal with a goof, as you call it.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Do...do we have some kind of an affidavit that we're going to give the producer of this or the...or the...or the seller of this...of these goods that says that they will guarantee that this is what it is? Because I cannot imagine...how in the world are we going to have an agency running around...for instance, if we buy a...a car, to...how can we be...how can we guarantee that fifty percent of that car or better was produced in the United States and when we start talking about all the parts and what have you? How can...you

know, it seems to me if you're really going to have...if you're really serious about this and you're going to have it work, you're going to have to make sure that every single supplier has to fill out a paper...a sworn paper that says, in effect, that most of this...that...that fifty or better percent was...was produced in Illinois. There's no possible way the way this bill is written that we could...we can do this.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Senator Severns,...I voted for this bill but you just lost my vote for this one. Senator Hudson is absolutely correct, and I would like for Senator Brookins and my steelworker friends in the audience to pay attention. In the product line that I used to manufacture, in 1984, Canada was three percent of the product in this country. Last year they went all the way up to twenty-four and the last reports that I got is they're close to forty. What you're doing is making Canada a domestic supplier. Canada...the same steelworker in Canada making the same wage as the United States steelworker has a twenty percent advantage because the Canadian dollar is twenty percent less than the United States dollar. But now you're going to give them an even greater advantage 'cause you've eliminated their competition. Senator Brookins, I want to tell you, if you think this bill is going to help your steelworker, you better look it over, sweetheart; because when you ride down 50 from now on, every one of those road signs is going to be made in Canada, the posts for it, the guardrail and all that, they won't be made in the United States if this amendment passes to this bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I...I think that not only...if we're going to include Canada...first of all, I think it ought to be the United States of America that we ought to be selling, but if we're going to put Canada into the concept, then I think we ought to put Mexico into it too, and I want to tell you why. Because we have more problems with legal and illegal aliens that come into the United States of America which drain our educational system and public aid rolls and in so many other areas because their economy in Mexico is worse than it is in anywhere else in this North American continent. And let me tell you, Mexico and Canada are in the North American continent, they are our brothers and sisters, but we ought to be...I'm going to support this proposition but it should have gone through as the U.S.A., but let's remember our friends below the border.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Number one, I can...I can always understand the concern of protectionism, I...I understand that fully, but I think we have to look at what we're really trying to do here. We're talking about intent and that's all we're talking about. I cannot, for the life of me, see anyone going in to take a part completely apart to find out whether it's made fifty percent in the United States or not. I think that as long as it's represented...and we got to trust our companies somewhere along the line, if they represent to the...CNS or whomsoever that it fills the bill, then that's all we should worry about. I think it's a good bill and I think it ought to be passed.

PRESIDENT:

AB 1312
1st Conf. Comm. Rept.

Further discussion? Further discussion? Senator
Severns, you wish to close?

SENATOR SEVERNS:

Thank you, Mr. President and members of the Senate. I think what we have here is a responsible approach. While I've heard many raise the concern with the potential paper work or havoc that it could cause CMS, I think our greater concern should be the jobs that have been lost. The 51st District from which I represent is the highest unemployed district in the entire state. My first and primary responsibility and concern is that of jobs. What this bill will attempt to do is save some of those jobs that have been lost in the past. For every one billion dollars of exported...dollars lost to exports translates into twenty-five thousand jobs lost in this country. I don't think we can afford to lose any more jobs. This bill is taking a responsible approach with the sunset provision of five years. If it works and it works well, we'll extend it; if it doesn't work or if it's no longer needed, it will sunset. I urge the adoption of this Conference Committee Report.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1400. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 23 Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1400 and the bill having received the required constitutional majority is declared passed. All right. We'll move...we'll carry on here, ladies and gentlemen, with Supplemental Calendar No. 3. Supplemental Calendar No. 3. On the Order of Conference Committee Reports is a Conference Committee Report on House Bill 1312. Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 1312.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The First Conference Committee Report on Senate Bill 13, this Act dealt with granting immunity from civil liability to...to not-for-profit directors and volunteers and also the area of higher education. The only difference that was...was added to this bill that was not currently before us in the Senate when it was on the Agreed Bill List was the provision that added the Senate Bill 40 which was Senator Netsch's bill that passed the Senate by a vote of 53 to nothing, it was held in the House. That proposal inserted the proposed alcoholism and drug addiction intervener and the reporter immunity law which is the only add-on that has been added to House Bill 1312. And I would be happy to respond to questions, if there are any.

PRESIDENT:

Discussion? Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would particularly like to call Senator Etherege's attention to the fact that Senate Bill 40 has finally resurfaced as part of House Bill 1312. This was a bill that was of a considerable interest to a very large number of groups, private employers, public employers, associations such as the...the Lawyer's Assistance Program and others who run so-called employee assistance programs, intervention programs for those who are addicted to alcohol or other chemical substances. It was extremely important, it got lost over there for awhile and it is now here, I am told, in haec verba, so this is a very important bill to us. Thank you.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President...Senator Demuzio, this is...they're not liable unless it's intentional or willful, that is the legislative intent of this legislation, right?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes. Senator Kelly, if I understood your question, and I had...difficulty hearing, but it was for immunity from liability for acts or omissions unless they were involved with willful or wanton misconduct, yes.

PRESIDENT:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I wish to rise in support of this Conference Committee Report and at the same to compliment Senator Netsch for her perseverance in...in seeing that the content of Senate Bill 40 has been incorporated into this report. I would ask for your Aye vote.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the...sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

I have...a couple of letters from the College of DuPage who are asking me about their trustees, does...will they now be covered underneath this Act?

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, it's my understanding that our staff has asked the Board of Higher Education and it's indicated to us that this Act may extend to as many as twenty-five chartered universities of higher education. I don't know the answer specifically to your question, but...I...I just don't know the answer to your question.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

...are all these...these colleges that you're talking about private or are they also such as...as College of DuPage which is a public community college,...and...and I'm sure those trustees don't get paid anything.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yes, Senator Fawell, I am told that it is to the colleges that are, in fact, private and for those members who serve without compensation, and if that's...if they meet that criteria, then they're covered by this...by this proposal.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1312. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1312 and the bill having received the required constitutional majority is declared passed. Senator Hawkinson. Madam Secretary, on Supplemental No. 3 on the Order of Conference Committee Reports is a

Conference Committee Report with respect to Senate Bill 124.

SECRETARY:

First Conference Committee Report on Senate Bill 124.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you...thank you, Mr. President. I would urge the adoption of Conference Committee Report No. 1 to Senate Bill 124. Briefly explain the...the four things that...that this bill does. The report deletes the bill and amendments and replaces it with these provisions. Number one, it amends the bail Statute to allow bail deposited in one case to satisfy obligations of defendant in other cases. Secondly, it corrects a...an inconsistently currently in our law on the burden of going forward with evidence and the burden of proof in insanity cases and in guilty but mentally ill cases. Where you have a trial and the defendant asserts an insanity defense, we changed the law some time ago to place the burden of proof on the defendant to raise insanity as a defense. However, when we created the guilty but mentally ill we did not make that change, and so you can have a jury completely confused by jury instructions and this makes the guilty but mentally ill provision similar to the insanity provision. Finally, it addresses a concern of our...some of our sheriffs that after...a finding of acquittal by reason of insanity this defendant who has now been acquitted but has...has been found to be insane is held in our county jails for an inordinate length of time. This with the agreement of the Department of Mental Health and Developmental Disabilities would reduce the reporting period that must be made by the department from thirty days to seven days. And, lastly, the fourth thing it does, it allows the court to order reimbursement when resources are available for court appointed counsel in paternity cases. And I would urge the adoption of this

Conference Committee Report.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 124. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 124 and the bill having received the required constitutional majority, declared passed. Supplemental Calendar No. 3, on the Order of Conference Committee Reports, Madam Secretary, there is a Conference Committee Report with respect to Senate Bill 377.

SECRETARY:

First Conference Committee Report on Senate Bill 377.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Senator...I mean, Mr. President,...Senator Woodyard, this is the DCCA rural diversification program. The only change is that the Office of Rural Community Development within DCCA will be the agency that is charged with the administration of this particular program. I don't know of any other substantive changes that are here from that which left the Senate.

PRESIDENT:

Discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. I also rise in support for the Conference Committee Report on Senate Bill 377. As we promised you when Senate Bill 1452 did leave the...the Senate, it has been amended. We also had some strange thing...things happen in the House, it seems that Senate Bill 1452 happened to have died in a committee over there. But, Senator

Demuzio, you've got an excellent bill and now I'm glad to...to support you.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 377. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 377 and the bill having received the required constitutional majority is declared passed. Senator D'Arco. On Supplemental Calendar No. 3, Madam Secretary, is a Conference Committee Report on Senate Bill 653.

END OF REEL

REEL 44

SECRETARY:

First Conference Committee Report on Senate Bill 653.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Conference Committee Report to Senate Bill 653 provides that membership on the Board of Elections are...the nominees for membership are to be selected equally from lists provided by both the Governor and the first constitutional officer of the party other than the political party of the Governor. Computer tapes of registered voters are to be submitted each election authority to the State Board of Elections on a semiannual basis. Delegate Selection Alternative B is to sunset as of 12-31-88 and it allows for the merger of political parties and it increases the compensation rate for election judges. I move to accept Conference Committee Report No. 1.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

According to our analysis, this could cost the state up to 3.25 million dollars in General Revenue Fund if everybody raises the judges' salaries. Is that correct?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Hell, the original bill had the salary increase to somewhere around a hundred dollars and this bill lowers it to the option of thirty-five to sixty-five. So that's a substantial decrease in the amount of the original increase, and these election judges really work numerous hours and they aren't being adequately compensated and we're not getting quality judges to work and that's the reason for the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

But who pays the additional money? Is it the county that raises the judges' salaries or is it the State of Illinois that's going to pay for my judges and your judges?

PRESIDENT:

Senator...

SENATOR FAWELL:

...additional funds.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

The state is only going to pay up to an increase of fifteen dollars per judge, that's the most they're going to have to pay.

PRESIDENT:

Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I...I ask support for this Senate Bill 653. It embodies...or it incorporates several election bills that went over to the House and were killed, one of which is mine, Senate bill 179 which is very important to many of us who have municipalities that lie in more than one county, if they lie in DuPage County and Cook or DuPage and Will, et cetera. It's a very simple little

bill that just got caught up in the House with all the election bills that were killed and this is the last chance for it. I'd ask for your Aye vote.

PRESIDENT:

Discussion? Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I stand in support of Conference Committee Report No. 1 to Senate Bill 653. Like Senator Karpel just mentioned, we sent a bunch of antivote fraud legislation to the House and they killed everything. While this is not the greatest bill that we would have hoped to have passed out of this Body, it is a decent piece of legislation. I'd like to commend Senator Degnan for working with both sides diligently and very hard to pass this. It does have some questionable provisions in there. It includes Senate Bill 10 which merges the Solidarity and Democrat parties, but that already has passed the Senate and the House and is sitting on the Governor's desk. It has other provisions in there which...which will clear up some of the problems that the Board of Election has with the computer tapes, and, basically, it's a decent piece and I urge support.

PRESIDENT:

Discussion? Further discussion? Senator D'Arco, you wish to close?

SENATOR D'ARCO:

Thank you, Mr. President. I would just ask for a favorable vote.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 653. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 11 Nays, none voting Present. The Senate does adopt the

Conference Committee Report on Senate Bill 653 and the bill having received the required constitutional majority is declared passed. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their amendments...Amendment No. 1 to a bill of the following title, to-wit:

Senate Bill 688.

I am further directed to inform the Senate that the House of Representatives requests a first Committee of Conference.

PRESIDENT:

Senator Poshard, that's a bill of yours. I...presume you would move to accede to the request of the House for a Conference Committee. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Madam Secretary, Messages from the House.

SECRETARY:

A like Message on Senate Bill 1326 with House Amendments 1 and 2.

PRESIDENT:

That's Senator Zito who moves that the Senate accede to the request of the House for a Conference Committee. All in favor of that motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Senate does accede to the request to appoint a Conference Committee.

SECRETARY:

I have a like Message on Senate Bill 117.

PRESIDENT:

Senator Demuzio moves that the Senate accede to the request of the House for a Conference Committee Report...for a Conference Committee on 117. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion car-

ries and the Senate does accede to the request to appoint a Conference Committee. Senator Hawkinson, for what purpose do you arise?

SENATOR HAWKINSON:

Thank you, Mr. President, two purposes. One, I would like to ask leave of the Body to withdraw my name as a hyphenated cosponsor to...to House Bill 529. And, secondly, I would like to transfer chief sponsorship of Senate Bill 474 from myself to Senator Berman and have my name removed as the sponsor.

PRESIDENT:

All right. Senator Hawkinson has asked leave of the Body to withdraw as the sponsor of House Bill 529...or cosponsor of 529 and Senate Bill 474 and asked that Senator Berman assume the chief sponsorship of 4-7-4. Senator Hawkinson.

SENATOR HAWKINSON:

House Bill 474.

PRESIDENT:

House bill, I beg your pardon. All right, House bills 529 and 474, Senator Hawkinson moves to remove his name from sponsorship of those bills and with respect to 4-7-4 to substitute Senator Berman. Without objection, leave is granted. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I would ask leave to be added as hyphenated cosponsor on two Senate bills, Senate Bill 1469 and Senate Bill 1470.

PRESIDENT:

All right. The gentleman seeks leave of this Body to be added as a cosponsor of Senate Bills 1469 and 70. Without objection, leave is granted. Senator Jacobs, for what purpose do you arise, sir? Jacobs...Senator Jacobs.

SENATOR JACOBS:

I...thank you, Mr. President. Would it be in order to go

to motions in writing at this time?

PRESIDENT:

Sure. Yes...we are standing literally at ease awaiting another Supplemental Calendar and copies of Conference Committee Reports which will be with us momentarily, I hope so, in the meantime, we will handle business as it comes. Senator Jacobs.

SENATOR JACOBS:

Thank you, very much. I would like to dismiss the Rules Committee on House Bill 911 and rerefer to Energy and Environment for the purpose of study.

PRESIDENT:

All right. House Bill 911 which came over from the House late. Senator Jacobs has moved to discharge the Rules Committee from further consideration of that Bill and asked that it be rereferred to the Committee on Energy. All in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and it is so ordered. Senator Harovitz, for what purpose do you arise?

SENATOR HAROVITZ:

Two purposes, Mr. President. I've spoken to Senator Vadalabene and would request that the sponsorship on House Bill 871 be changed to read Harovitz-Vadalabene-Degnan with...with permission of Senator Vadalabene who I just spoke to.

PRESIDENT:

All right. The gentleman seeks leave to assume the chief sponsorship of House Bill 371 along with Senators Degnan and Vadalabene. Without objection, leave is granted. Senator Harovitz.

SENATOR HAROVITZ:

Also, Mr. President, on Supplemental Calendar No. 1 which I...there's a...on House Bill 2350, I would just like to move to recede on that...

PRESIDENT:

That's final action, we'll get back to that later.

SENATOR HARDVITZ:

Okay.

PRESIDENT:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. I would ask leave of the body to add Senator Topinka as a hyphenated sponsor to House Bill 679.

PRESIDENT:

House Bill 679, the gentleman seeks leave to add Senator Topinka as the hyphenated cosponsor. Without objection, leave is granted. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No...No...Amendments No. 2 and 4 to a bill of...of the following title, to-wit:

Senate Bill 886.

I am further directed to inform the Senate that the House of Representatives requests a first Committee of Conference.

PRESIDENT:

Senator Demuzio moves that the Senate accede to the request of the House for a Conference Committee. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Senate does accede to the request of the House. Messages from the House.

SECRETARY:

I have a like Message on Senate Bill 1080 with regards to Amendment No. 1.

PRESIDENT:

Senator Keats moves that the Senate accede to the request

of the House that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Senate does accede to the request of the House.

SECRETARY:

And I have a similar Message on Senate Bill 1416 with House Amendment No. 1.

PRESIDENT:

1416, Senator Luft moves that the Senate accede to the request of the House. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Senate does accede to the request of the House. Senator Severns, for what purpose do you arise?

SENATOR SEVERNS:

Thank you, Mr. President...President and members of the Senate. I'd like to request leave of the Body to be added as a hyphenated cosponsor to House Bills 1680 and 1691.

PRESIDENT:

All right. The lady seeks leave of the Body to be added as the hyphenated cosponsor on House Bill 1630 and 81. Without objection, leave is granted. Senator DeAngelis, for what purpose do you seek recognition?

SENATOR DeANGELIS:

A point of personal privilege, Mr. President.

PRESIDENT:

State your point.

SENATOR DeANGELIS:

June 30th has many meanings to many people; however, for one of our members it has a very significant...meaning. It was the day that the...this particular family suffered the worst accident they've ever had and that was the birth of their son, Walter Dudycz.

PRESIDENT:

All right, ladies and gentlemen, we're on Supplemental

No. 4. (Machine cutoff)...Netsch, for what purpose do you arise?

SENATOR NETSCH:

Before we start that, if I might do one thing. With respect to House Bill 1312 with Senator Demuzio's permission I would like to be added as a hyphenated cosponsor to House Bill 1312.

PRESIDENT:

All right. The lady seeks leave of the Body to be shown as the hyphenated cosponsor on House Bill 1312. Without objection, leave is granted. Conference Committee Reports, Supplemental Calendar No. 4. Senator Carroll, with leave of the Body, handle House Bill 482? On the Order of Conference Committee Reports, Madam Secretary, is House Bill 482.

SECRETARY:

First Conference Committee Report on House Bill 482.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 482 is the ordinary and contingent expenses for the operations of the State Board of Education. It includes some specific areas as well by Conference Committee Report within its operating budget. I would move for adoption of Conference Committee Report No. 1.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 482. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 482 and the bill having received the

MS 612
1st C.C. Rept.

required constitutional majority is declared passed. 612, Senator Davidson. Madam Secretary, on the Order of Conference Committee Reports, Conference Committee report on House Bill 612.

SECRETARY:

First Conference Committee Report on Senate...House Bill 612.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, it does exactly what the Calendar says it does. We...everything that was in place in 612, we sent out of here 59 to nothing and also now has...added in to it the multistate lottery and all...net revenues from the multistate lottery go to the Common School Fund. I'd move for the adoption of...move the adoption of House Bill 612.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 612. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 612 and the bill having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR DEHUZIO)

House Bill 770, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 770.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the OCE for the Department of State Police in the amount of a hundred and fifty-nine million thirty-three thousand one hundred dollars. The additions have been a million five hundred and sixty-nine thousand, restoration from MEGS; five hundred thousand for overtime or sworn officers; three hundred and forty-four thousand two hundred to open the Metro-East State office...State Police office and two hundred and thirty-seven thousand five hundred for forensic services equipment and that's what the Conference Committee contains.

PRESIDING OFFICER: (SENATOR DEWUZIO)

All right. Discussion? Senator Watson.

SENATOR WATSON:

Thank you. Just a question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

...I want to just make sure, do we have that two hundred and sixty-one thousand one hundred dollars for the East St. Louis detail, is that still in here?

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Weaver.

SENATOR WEAVER:

I believe it is, I...it's not an addition, it went out with it in and it's still there.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Watson.

SENATOR WATSON:

I...I realize it...and that's...I had my chance and my run at it and that's fine and we lost it. What about the move into the Metro-East State Building? There was some concern about money being available for that, is that in this also?

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Weaver.

SENATOR WEAVER:

Three hundred and forty-four thousand two hundred dollars worth.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

A...a question, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Could you tell me what percentage of that NEG money went back in, Stan or Howie? I know the dollar amount, I want to know what percentage?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Weaver.

SENATOR WEAVER:

What...what percentage of the...the NEG money is what?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Of the original budgeted amount, what...what percent of it went back in...the NEG...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

All of it went back in, Senator Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate adopt the First Conference Committee Report on House Bill 770. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting

Present. The Senate does adopt the First Conference Committee Report on House Bill 770 and the bill having received the required constitutional majority is declared passed. House Bill 773, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 773.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Watson.

SENATOR WATSON:

Thank you. This is the budget for the Illinois Commerce Commission and it's at...Conference Committee Report places it at seventeen million five hundred and fifty-seven thousand and sixty dollars. Be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Discussion? The question is, shall the Senate adopt the First Conference Committee Report on House Bill 773. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 2, 2 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 773 and the bill having received the required constitutional majority is declared passed. House Bill 776, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 776.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 776 is the OCE for the Department of Veterans' Affairs. It is the twenty-eight million one hundred and thirteen thousand two hundred dollar level. It is three hundred and seventy-eight thousand eight hundred less than it

passed the Senate. Be happy...questions.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Well, discussion? Senator Jacobs.

SENATOR JACOBS:

Will the Senator yield for a question?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Indicates she will...can we break up the conferences?

SENATOR JACOBS:

Senator Donahue, does...does this have the twenty-six field offices in it or are those taken out?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Donahue.

SENATOR DONAHUE:

It has the twenty-six but I understand eleven have been cut.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Jacobs.

SENATOR JACOBS:

Well, I think the total was twenty-six that were going to be cut and then they're going to take care and keep fifteen and cut eleven, is that correct, or are they going to keep the twenty-six and cut the eleven?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator...Senator Donahue.

SENATOR DONAHUE:

The twenty-six that the House cut out are back in, it's the original eleven that have been cut.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Indicates she will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Could you tick off the eleven that are cut?

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Donahue.

SENATOR DONAHUE:

I will get you a list, just give us a second.

PRESIDING OFFICER: (SENATOR DEWUZIO)

All right. Senator Schuneman, why don't we...Senator Donahue, are...are you ready? All right. Why don't we go on to Senator Watson and come back, okay. Senator...Senator Watson, same question?

SENATOR WATSON:

Yes, thank you, and the same concern. I was concerned about the Carlyle Office in Clinton County.

PRESIDING OFFICER: (SENATOR DEWUZIO)

All right. Well, let's come back. Senator Lechowicz, further discussion?

SENATOR LECHOWICZ:

Thank you, Mr. President. Before we get off the subject matter, I just want to point out to the membership that this Conference Committee also is recommending a two hundred eighty-six thousand dollar cut in Personal Services, approximately thirty-one thousand Contractual Services and twelve thousand for Travel and Communications. So when...when you're talking about eliminating these eleven offices, we're talking about the layoff of people who are manning those offices that are supposed to be providing services to the veterans of this state, and I just want to bring that to everybody's attention on how they're going to be voting on this matter.

PRESIDING OFFICER: (SENATOR DEWUZIO)

All right. Further discussion? Senator...Senator Donahue.

SENATOR DONAHUE:

...is he going...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We had a meeting on this Floor just a couple of days ago with Director Johnson and he informed us in no uncertain terms that the amendment that had been offered by Senator...Demuzio for restoration of the funds would indeed take care of all thirty-six offices not just...I'm sorry, thirty-seven offices, that...that that amendment took care of all thirty-seven offices and the decision to close the...the other eleven offices came from somewhere else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, why don't we take this out of the record since we're sort of bogged down here and come back to it shortly. Senator Donahue. All right, let's take it out of the record, all right. House Bill 777, Senator Weaver. House Bill 7-7-7, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 777.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. This is the OCE for the Department of Energy and Natural Resources in the amount of a hundred and three million three hundred and eighty-four thousand six hundred and nine dollars. If there are any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 777. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 777 and the bill having received the required constitutional majority is declared passed. House Bill 730, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 780.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Karpel, 780. Senator Karpel. Senator Karpel.
SENATOR KARPIEL:

Thank you, Mr. President. House bill 730 is the appropriation for the Department of Labor. What this bill now is a four million one hundred and twenty-three thousand four hundred dollars. We added a hundred and forty-eight thousand five hundred GRF to the Public Safety Division to implement a court ordered mandate, reduced the general office by fifteen thousand five hundred and the Fair Labor Standard Division by forty-nine thousand six hundred. It's still going out of here substantially lower as introduced.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House bill 780. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 730 and the bill having received the required constitutional majority is declared passed. House Bill 782, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 782.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. I move that the Senate accept the First Conference Committee Report on House Bill 782. The...the current level is one hundred and thirty-three million dollars...one hundred and thirty-three million thirty-seven thousand dollars.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 782. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on...on House Bill 782 and the bill having received the required constitutional majority is declared passed. Senator Schaffer, 783. House Bill 783, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 733.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is the Department of Mental Health budget. I think if you'll notice the Conference Committee Report that I refused to sign; in fact, I left a little note on there. All the Conference Committee Report does is remove the twenty million dollars that were added on by the Senate. Frankly, as you'll recall, at the time I put that amendment on, I indicated that that was my...my thought and the thought of many of the mental health advocacy groups for what was needed in...in a doomsday scenario. Well, it's the 30th of June, it's doomsday. That money will see that the Governor's Office has the flexibility to do the best possible

job of making mental health whole in light of the tremendous financial crunch that I suspect we're all going to see in the next few weeks. I talked to Deputy Governor Reilly this morning and the basis of that conversation, he indicated that they...they would prefer to get the bill with the amendment on, but that they still feel that they will be required to go line item by line item looking for whatever savings they can find in the budget. And, frankly, I see Senator Carroll consulting with his staff. I got mixed signals from our people so I went back and asked again to make sure and that's the same story I'm hearing from the gentleman who occupies the hall...the office across the hall from the Governor. Without this amendment, the Department of Mental Health will be required to do some things that I think all of us don't want to see happen, and I guess the question that most logically will come my direction is, well, where are we going to find the money, and I'm suggesting to you that...that there are other things that are secondary to the crisis we have in the Mental Health Department this year thanks to years of neglect. This still puts the appropriation under the bill as it was introduced, but without it, we, and not the Governor's Office, we, I emphasize, must take the brunt and the blame for what happens in mental health. I think it's unconscionable based on our past history for us not to hang tough and refuse to accept this Conference Committee and that is my motion.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I hate to say I'm a little surprised at Senator Schaffer's remarks, not so much for what they stand for but for what they report to represent of others' opinions. We went through this discussion before. The Senate in its

committee action made sure that there were sufficient funds to maintain all the facilities at about a 1.5 staff/patient ratio. We did so by adding through...reallocation and fresh money about eleven million dollars, six million over the House, forty-one million dollars total over introduced...forty-one million dollars total over introduced. That provided for full service at all facilities and a three and a half percent increase for the providers, the community based. I'm the first to admit that we'd like to see more, I said that before. When Senator Schaffer offered the twenty million add-on, ten and ten, sure, it would make things better if there were the money, but the Senator said then and I believe the record will reflect that that was based on the wish that there be a tax increase...excuse me, and if there was, this should be a number one priority, I happened to have agreed with that, if there was, then it should have gotten even more. In a time when the Governor has said he's going to cut three hundred million, four hundred million, five hundred million from the budget we are considering today to pretend there's another twenty million there is foolish. We did the best we could, we have provided forty-one million dollars over introduced level, which if it doesn't make it the highest add-on in the budget, it may be no worse than the second highest increase over Fiscal '87 spending. Forty-one million dollars to make sure we're in Federal compliance and that a three and a half percent increase be given to the providers. The Governor's Office told us this was the level that they accepted. They did not indicate to us at any time that they encouraged or wanted twenty million more 'cause they've said they have to cut several hundred million. So, Senator Schaffer, it's your motion, I think we should oppose it. It's not going to get any better, there's not going to be a tax increase, there's not going to be any money and I think we have set our priority. We have said keep the institutions

open and give a rate increase to the providers, that's what in the Conference Committee Report and I think it should be adopted.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further...further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I concur with everything that Senator Carroll has said. All of us worked very hard and long, everybody wishes there's more money. It's just one of these times and I would encourage for everybody to vote for this House Bill 763.

PRESIDING OFFICER: (SENATOR DEWUZIO)

(Machine cutoff)...discussion? Senator Hall, had you concluded? Further discussion? Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I'm...we've had a little discussion, I think there may be a little confusion. I move to reject this Conference Committee.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Well, Senator Schaffer, I think under our rules...

SENATOR SCHAFFER:

I was...I was asking for a clarification, I want to make sure everybody understands how they're voting.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Under our rules, you must put the question in the affirmative and the...the question then failing to receive the thirty votes, then you may request for a Second Conference Committee. Senator Schaffer.

SENATOR SCHAFFER:

That was my understanding. So I'm asking for a No vote to reject this Conference Committee which reduces the...eliminates the twenty million dollar add-on that this Senate put on. Perhaps I wasn't clear but when I...I thought

I was, 'cause I said it three times, that I viewed that amendment as a doomsday level. At that point, it was pretty obvious to me at least that there was a very good chance there wasn't going to be a tax increase. The purpose of that amendment is to make the department as whole as we can and to make mental health a priority for the first time in many years. Without this amendment, the Governor's Office will be forced to accept the budget that has staffing...levels well below the 1.6 or 1.7 that we need for certification, in fact, down to 1.47 in Dixon, Zeller, McFarland, Meyer, Alton and Madden and below...clearly 1.5 in Singer, Jacksonville, Fox, Murray, Anna, Reed, Hall and Shapiro; 1.35 in Elgin, Maukegan, Lincoln, Ludeman, Hall and Chester, well below what's needed for certification. Without this amendment we are playing into the hands of anyone who wants to force the mental health system into the court system and I guess precipitate a major crisis to pass a tax increase. Well, frankly, there are some things maybe we ought to increase taxes for and I suspect, at least in my mind, this is one of them, but I hate to see us play games to force a tax increase. I would suggest earnestly that everyone reject this amendment, that we go back into a second Conference Committee and maybe we could actually have a Conference Committee meeting with the principals and have a discussion and see if there's some...a middle ground. I'm not carved in granite on this but I don't think we want to leave here with the Legislature being the ones that force a major crisis in the mental health facilities of this state and I would urge a No vote on this motion.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

A point of parliamentary inquiry.

PRESIDING OFFICER: (SENATOR DEBUZIO)

State your point.

SENATOR GEO-KARIS:

If we...if we agree with Senator Schaffer, do we vote Yes or No?

PRESIDING OFFICER: (SENATOR DEBUZIO)

No. Senator Schaffer will...has placed a motion to adopt the Second Conference Committee Report. Senator Schaffer has requested...since the motion has to be placed in the affirmative, on a motion to accept, Senator Schaffer's request is for negative votes to force a Second Conference Committee. So, the motion will be put in the affirmative. The question is, shall the Senate adopt the First Conference Committee Report on House Bill 783. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 13, the Nays are 45, none voting Present. The Senate does not...adopt the...the...the Conference Committee...the First Conference Committee Report is not adopted and the Secretary shall so inform the House. All right. Senator Schaffer, you're requesting a Second Conference Committee. Senator...Senator Schaffer has requested a Second Conference Committee. All right. Senator Schaffer has moved to request a Second Conference Committee. Those in favor of the motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is adopted and the Secretary shall so inform the House. 789, Senator Ralph Dunn. 7-8-9, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 739.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Ralph Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President, members of the Senate. I'd

like to request that we accept Conference Committee Report No. 1 on House Bill 789. It reduces the department's request as introduced by ten...ten and a half million dollars, but the general revenue budget is nineteen million and a half above the '87 estimated expenditures. While this doesn't quite make up the thirty million that we put on that was taken off by not being accepted in the House, it brings the department back up just about ten million dollars less than it was introduced early. I want to thank the members of the Conference Committee and those who worked on it. I think it's a good report and I'd urge its adoption.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEWUZIO)

Indicates he will yield, Senator Jacobs.

SENATOR JACOBS:

Ralph, does this...Senator, does this include the satellite TV for all of the prisons around the state?

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Ralph Dunn. Senator Jacobs.

SENATOR RALPH DUNN:

...I defer...

SENATOR JACOBS:

Senator, I'm sorry. I'm not being facetious because that is being done at the East Moline Correctional Center now. I fear that it's something that's going to go throughout the whole state. I don't really believe in it. Sixty thousand dollars is the figures I get to install satellite TV to the East Moline Correctional Center, and in those cases where the eight inmates to...to a room, eight outlets in order to be able to allow each inmate the opportunity to watch whatever

they want to off the satellite, and I just wondered if that's included in the budget.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Dunn.

SENATOR RALPH DUNN:

Senator Jacobs, I don't know for sure. We did remove two hundred and fifty-one thousand nine hundred dollars for equipment for the plane that was purchased in FY '87, if that's any consolation, we...we took out...may have to park the plane for awhile.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Jacobs.

SENATOR JACOBS:

Senator, I think that's a little late, he's already ignored the wishes of this legislative body and he has already purchased the airplane. We have kids that are...being underserved in education, we have people in this...in this state that are still going hungry out, damn it, we've got a director of corrections that is out flying around in a plane and I...I'm going to vote No on the appropriation just for those purposes alone.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this Conference Committee Report. I think you have to consider the fact that in many areas of this state the prison industry is a major industry, it's a major industry with a lot of jobs at stake for all of us. These people work very hard at their jobs and they need our support. I think the restoration of nineteen and half million of the thirty million dollars will enable us to alleviate the fears of those people so that they don't have to worry about being laid off or removed from their jobs or hav-

ing a prison close down. I think the report is reasonable. I appreciate the...the work of Senator Carroll and other Conference Committee conferees, and I think that this is very much needed and would appreciate an Aye vote on this Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Further discussion? Senator Topinka.

SENATOR TOPINKA:

If I may ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Indicates he will yield. Senator Topinka.

SENATOR TOPINKA:

Yes, in...in reading our...our analysis here that, you know, two hundred and fifty-one thousand nine hundred was removed from various equipment lines for the controversial plane. Now, does that mean the plane is still in existence, the plane is going back, the plane is not going to be funded? Where...where is "de plane?"

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Senator Dunn.

SENATOR RALPH DUNN:

...thank you, Mr. President. My understanding is the plane has been purchased at the '87 money, but this may keep them from buying supplies and fuel for it, maybe they'll park it for awhile. But they took this out out of the budget, Representative...Senator Topinka, but we still have the plane, as I understand it.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Harovitz.

SENATOR HAROVITZ:

Well, Senator Dunn, maybe I didn't understand it. Would you explain about this cable TV or satellite TV setup, is that in this budget and, if so, what is the cost for those eight separate connections for every prisoner?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. My...our staff said that they've never seen anything on a line item for satellite TV and I hadn't heard about it since...till Senator Jacobs asked about it, maybe he knows more about it than I do. I don't think we have it in Menard, I'm just thankful to have a prison.

PRESIDING OFFICER: (SENATOR DEBUZIO)

...Senator Marovitz.

SENATOR MAROVITZ:

I would...I would like to get...seriously, I'd like to get this question answered because we deal with...as Senator DeAngelis said, we make decisions here, we deal with priorities here, and I'm not sure that our priority, if it's in this budget, is different satellite capability for every prisoner in our prisons. I'm not sure that should be our priorities right now when we've got people who are going to be laid off. So I think we ought to know before we vote on this if there is money in this budget for that...satellite capability for our prisoners in our prisons.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Dunn, do you wish to yield to Senator Jacobs?
Senator Jacobs. Senator Jacobs.

SENATOR JACOBS:

Mr. President, if I could, I could relate to Senator Marovitz what I understand and, it's only an understanding at this point 'cause confirmation we have not received, that the satellite dish is somewhere in the area of twenty some hundred dollars and the installation is another fifty-eight thousand for about sixty thousand dollars at one correctional center. And I agree with your comments that we have correctional officers being laid off and I just don't think our

priorities are proper in this particular end, probably the next thing we'll be doing is buying...condoms for them so that they can have safe sex.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. We have three additional...four additional speakers, Senators Hall, Poshard, Collins and Kelly. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I served on this committee that reviewed this and this is the first time that to my knowledge...I don't know if Senator Carroll or any of the others...I don't know if anybody on that side. This is the first knowledge that we've heard of that and it's certainly...it was not anything that we discussed or put into it. So I don't think that...wherever this comes from and I...for my good friend back here, I don't doubt that he...may have read it someplace, but you can be assured that everyone on that Conference Committee...none of us...was never brought up so we have no knowledge of anything like that.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Yeah, I was just looking for the...for the Conference Committee Report...it...it's...it's...you know, I'd like to hear from...Senator Hall, you said that you worked on the Conference Committee but somebody on the Floor should be able to answer a yes or no to that question and I...I would just appreciate it if someone answer yes or no. I can't find the Conference Committee, whether or not the...satellite dish are

in...monies for the...for the installation of those satellite dishes are in the budget or not. Yes or no?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I don't know, I don't know if we should be so concerned about these...this television capability. This happens to be a very affluent jail facility, there aren't any prison cells, the prisoners have a right to come and go in and out of their cells and anywhere on the campus of the entire facility. So it's intended to be a rather loose situation in that regard.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Further discussion? The last speaker is Senator Poshard.

SENATOR POSHARD:

Yes, Mr. President, forgive me for rising a second time on this issue. You know, regrettably, we have things that occur around here from time to time that...that...that create a sense of public distrust in the process, and if we're talking about an airplane for the director of corrections or a rose garden or in this case a satellite TV or whatever, I'm sorry that those things happen, I really am, because I don't think they're...they're needed; but that should not negate the point that there is a bigger issue at stake here and the bigger issue is the fact that try as we want to get rid of all of those frivolous things, and most of them are frivolous, we still need to keep our mind on the larger picture here and that larger picture are thousands of jobs for our people in this industry. That's what this Conference Committee report is all about, not the minute kins of things that fall through the cracks around here and disturb the public trust from time to time but the jobs that are at stake and the...and the support that we give that particular industry

and the people that work in it, that's why we should adopt...this Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Lechowicz, did you wish to be recognized on this? The previous question had been moved. Senator...Senator Lechowicz.

SENATOR LECHOWICZ:

Hell, I...I was not aware of that, Mr. President, I'll be very brief, with leave of the Body. You know, just a very short time ago in the State of Illinois there was a crisis in corrections as far as the possibility of having the inmates at the correctional facilities in a very volatile period of time. The Governor and with the membership of this General Assembly provided salary increases for correctional guards, and I'm sure that you remember as well as I do the unfortunate incidence where some correctional guards were killed in the facilities of this state and more important than that, I don't know of any more importance. When a person loses his life...his or her life in trying to provide the public safety of everyone here, we all owe a certain amount of responsibility. I'm not saying that the Director Lane may have made a judgment call which was maybe in your eyes incorrect but maybe in his eyes was correct, unless I don't really know if they really need that airplane assigned to them on a twenty-four-hour-basis, but in his opinion, he needed it. But for two hundred and forty-five thousand dollars, I think you're making a sad mistake by trying to hold up this budget which you recall so many people were in this...in this gallery just a couple of days ago, he's already talking about his...the safety of the employee who was trying to provide the safety to every Illinois resident and that's a mistake. I think the time has come to let some rhetoric aside and cast your vote in a very proper manner and support this budget.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Senator Ralph Dunn, you may close.

SENATOR RALPH DUNN:

Thank you, Mr. President. We did cut the budget ten and a half million dollars and I'm certain we've gotten the message through these debates to the director of corrections at...if they have satellites, they shouldn't have. If there's one in Dixon, I understand, and that was probably put in in the capital expenditures when they built the Dixon prison; otherwise, I don't know of any and certainly we'll let the Governor and let the director know that we...the Legislature don't include satellite television for all of the inmates who are institution residents, I should have said. I urge adoption of...of Conference Committee Report No. 1 on House Bill 789.

PRESIDING OFFICER: (SENATOR DEBUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 789. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 7, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 789 and the bill having received the required constitutional majority is declared passed. All right, page 3...House Bill 789, Mr. Secretary. I beg your pardon, 791.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 791.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. House Bill 791 is the OCE for the Department of Agriculture. The Conference Committee Report is at the sixty-two million six hundred and five thousand one hundred dollars, and I would move for the adoption

of the First Conference Committee.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Discussion? Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 791. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 791 and the bill having received the required constitutional majority is declared passed...House Bill 793, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 793.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I move we accept Conference Committee Report No. 1 to House Bill 793 for the Local Governmental Law Enforcement Officers Training Board at the cost of seven million eight hundred and twenty-three thousand seven hundred dollars.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 793. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 793 and the bill having received the required constitutional majority is declared passed. House Bill 799, Senator Etharedge. House Bill 799, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 799.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to accept Conference Committee Report No. 1 on House Bill 799. This is the C03 approps. bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall the Senate adopt the First Conference Committee Report on House bill 799. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference...Committee Report on House Bill 799 and the bill having received the required constitutional majority is declared passed. House Bill 1163, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1163.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz, will you break up the conference here? Senator...Senator Carroll.

SENATOR CARROLL:

Let him have his conference...Mr. President and Ladies and Gentlemen of the Senate, House Bill 1163 is the awards bill for the court of claims. It now contains all awards signed by the appropriate number of judges to the court of claims that are known as of this morning, and I would move for adoption of Conference Committee Report No. 1.

AB 1188
e.c. R.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall the Senate adopt the First Conference Committee Report on House Bill 1163. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 6, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1163 and the bill having received the required constitutional majority is declared passed. House Bill 1183, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1183.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the language on this is the same up through until we get to "past twelve feet wide" and then it's added a significant deterioration and essential disrepair in which case the park owner shall bear the burden of demonstrating such fact and must prior to sell of giving the...tenant written notice, therefore, and...unless...unless first corrected removal will be required upon the sale. This is a worked out agreement between the mobile home park owners and the Mobile Home...Owners' Association; in other words, both the park owners and the people who own the mobile homes are in agreement with this. They worked out this compromise together, hammered it out in my office. I'd move we approve this...Conference Committee to House Bill 1188.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall the Senate adopt the First Conference Committee Report on House Bill 1188. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1188 and the bill having received the required constitutional majority is declared passed. House Bill 1234, Mr. Secretary. ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1234.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we adopt Conference Committee Report No. 1 on House Bill 1234. This is the CDB reappropriations bill.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I would request a No vote on this bill for several reasons. There's an amendment that we're being asked to remove. In 1936 and 1987, we took thirty, forty million dollars of bonding out to rebuild the Old State of Illinois Building. In '86, we took it out, it came back at the last second. One of those things, take it now or, you know, there's no budget. Well, here it is last day again and it comes back again; after we voted to take it out second year in a row, it's back at the last minute. Now, in terms of holding up the process since we've already sent the mental health budget back, we're not holding up the process we still have the appropriations stuff to go. There's several reasons and I've talked to many of you and I've given you that sheet to look at so...information. Number one, they say thirty-three million dollars, everyone can see that's way too low. Now whether it's seventy-five million as some architects say doesn't matter, but you're talking about substantially out of

line in terms of cost. They already admit they're going to add an atrium to the front of it, which any way you count it, that is not presently in it right now, so you already know the first cost overrun has already been announced. Plus, I asked and did not yet have an answer, this is just refurbishing the outside. I asked about the furnisher and they said, well, they weren't sure this is part of it either. Remember, that's part of the problem we had with the State of Illinois Building, the first number they gave us that we thought was the cost was just the outside, then you discovered you had an entire inside of the building to add. So it appears this is the same way. They claim this will save money 'cause every state agency can move in; that simply isn't true, you just add up state space. In order for every agency to move in, the Attorney General must...greater reduce his face in Chicago by fifty percent. Ask the AG if he's going to cut his face fifty percent. It also, if you add numbers, it appears they use one of the basement floors for state offices. Do you really think that state employees are going to be in the basement without even having a window? The foundation has had serious problems so they don't deny it so that they know they're going to have to do major structural changes. In addition, we're building penthouse apartments on the top of it for the court that only meets there a couple of days each year, that already has apartments here for their residents when they regularly meet here. We're building two-story courtrooms and their numbers are based upon using every floor. So if you build two-story courtrooms, they're already out of place. We talked about prisons we wanted to build, we talked about...in order in the mental health area we need some capital improvements to match Federal accreditation, here's some money, what is your priority? Would you like a building that everyone laughs at when you even discuss about rebuilding, they concede the numbers will

be way over that, they admit it doesn't work or would you rather put that money in the mental health capital investment that needs to be there for Federal accreditation? Is it really appropriate to play these games with a junky old building in a year when the budget is this tight? I'd ask you to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

(Machine cutoff)...Mr. President, Ladies and Gentlemen of the Senate. I just couldn't lose the opportunity to maybe respond to Senator Keats. Senator, unfortunately, there...there are some problems with your argument, although some of it sounds very good. First is there...is a demonstrable need for space in a state owned building over and above the State of Illinois Center, a very demonstrable need. We are spending a fortune in rent in outside properties around the loop and beyond for...for space that should be conveniently located as a center of State Government, and unless you want us to be paying rent to a lot of real estate people, which isn't bad if you don't have the space, we should really have in a state building, it makes sense. The problem, therefore, as I see the dilemma we're in, if we do not renovate the existing state office building and move those offices in, we're giving your friend...the opportunity to bring Helmet John back to build a new building. I think we're better off keeping what we've got.

PRESIDING OFFICER: (SENATOR DEMUZIIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, I stand in support of this Conference Committee Report, Mr. President, and I totally disagree with Senator Keats as far as his assessment of the value of the Old State of Illinois Building. In talking to a number of people in

the appropriation's process and some architects who looked at that building, they told...they told us that the building was structurally in absolutely superb shape, and it was probably one of the hidden assets of the state that this building should be remodeled and used for state office purposes. Anyone in the real estate market knows the mushrooming value of real estate in the loop area, and where this building is located, as was pointed out by Senator Carroll, it's ideally situated for not only state employees but for individuals who are...seeking state assistance; instead of going around the Loop or outlying areas, they'll be able to come into a centrally located area and take care of the state business that's before them. Initially, when the new State of Illinois Building was contemplated, it was contemplated with the erection of the new building and the reconversion and the use of the old building. Rest assured, this is a good investment and deserves your support.

PRESIDING OFFICER: (SENATOR DEMUZIJO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIJO)

Well, there's only one additional speaker. Senator Keats for a second time.

SENATOR KEATS:

A quick correction of several points made. Number one, I appreciate if any of the architects who said that, if you could get it in writing if he's not a state employee, because we haven't found anyone who says that that building is in good shape or that it is architecturally of any particular value. Terms of cheaper, even using the Capital Development Board's numbers, they are assuming every state office in the entire City of Chicago will be moved into there, and I don't care what kind of math you've learned, they don't fit unless

the AG, among others, take fifty percent space reductions. So their numbers of making it cheaper are totally in error because they said every state facility will be brought in. They admit they can't get them all in so you won't have them all in one building to begin with. So you just have...you've lost the...the bonding power that you could need. We can't...I mean, we can't get architects to put in writing who are not state employees saying the building is in good shape. The cheaper argument is simply inaccurate and all you have to do is to look at the Capital Development Board's own figures and will show that that's completely untrue and then the last point. There is so much empty office space in Chicago, all you got to do is go out and sublet. You just compare what we can get for subletting space right now compared to capital construction costs in Chicago and you'll see their numbers are out in left field. I'd appreciate we send this back to vote No on this to keep on the amendment for the good of the taxpayers to use this money in an area that probably is far more valuable.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right. Further discussion? Senator Carroll for a second time.

SENATOR CARROLL:

Thank you and I, too, apologize for rising a second time but apparently the debate has become a debate on one project out of a five hundred and seventy-eight...five hundred and seventy-nine million dollar reappropriation. Just to remind the members should they decide to vote No on this Conference Committee Report, there are two prisons in this, there's the renovation of the other prisons. There's the money in capital for the mental health institutions, agriculture, some fourteen million; fifty-three million in CMS, some sixty million in conservation, a hundred and forty-five million in corrections, ten million in E & R, food production research,

eleven million, ten million in historic preservations, twenty-eight million in Department of Mental Health, sixty-eight million in Capital Development, all of the universities are in there and their reappropriation. Any capital project that you approved in Fiscal '87 or before that has not been funded entirely, not fully paid for, is in this reappropriation bill and I would think that most of the members would want that work to continue.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Etheredge may close.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I understand the concerns that have been...expressed by my respected colleague here. I have been made fully aware, as all of us have, his concerns about the state...remodeling of the State of Illinois Building. I would just want to point out to you that I think that there has been some more than a little misinformation. In my discussions with the CDS representatives, they have indicated to me that this...the planning of the project is now underway that there are no decisions that have been made as yet as to how that space is...is to be utilized. A reference has made...been made to the possibility of there been some apartments. I would suggest to you that there is no commitment to that and I have that directly from the CDS staff. The point, ladies and gentlemen, is that we own that building, it...and we need, as Senator Carroll has pointed out, additional office space in the loop. It makes economics sense to remodel the building which we own and made good use of it. I would urge an Aye vote on this so that that...the planning of that project can continue as well as all the other projects that...that we have included in this reapprops. bill. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

*AB 1237
not conf. Comm. Repts.*

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 1234. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 9, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1234 and the bill having received the required constitutional majority is declared passed. 1237, House Bill, Senator Barkhausen. House Bill 1-2-3-7, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1237.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 1237 includes mainly provisions which in one form or another have passed this Chamber. The only item here that we're seeing for the first time and which I...I think is a good idea...provides for a prohibition from municipalities for charging more to a...more to a real estate developer than the cost of installing emergency sprinkler systems. There are apparently situations in which municipalities have attempted to impose a special charge over and above the cost of installing this equipment and, obviously, from a fire protection standpoint, that isn't a good idea, and so fire protection officials and some real estate developers have apparently made known their concerns and that is the reason for this provision. I'd be happy to answer any questions and would otherwise urge your adoption of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator...Hawkinson.

SENATOR HAWKINSON:

Senator, will you tell us what other provisions are in this bill that we've seen before?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...yes, Senator Hawkinson, I can just follow from my analysis to try and pick it out of the bill. These came through a committee that I was not on which is the Local Government Committee, but the...the general subject of the bill had to do with the right of townships to cut weeds where a township resident has...has allowed their property to become overgrown with weeds after giving notice. Then, in addition to that original bill,...one provision incorporates Senate Bill 240, removing a requirement that city commissioners and municipalities over twenty thousand work at least thirty hours per week. A second one incorporates House Amendment 2 to Senate Bill 682 giving municipalities the ability to make boundary...enter into boundary agreements. And a third incorporates Senate Amendment 1 to House Bill 2373 which raises the percentage of rural roads that may come under the control of a county of under five hundred thousand from twenty-five to thirty-five percent; counties over five hundred thousand, we're told may already control up to eighty-five percent and then, finally, that last provision with regard to the charges to be imposed by municipalities for real estate developers installing emergency sprinkler systems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1237. Those in favor will vote Aye. Those opposed Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1-2-3-7 and the bill having received the required constitutional majority is declared passed. House Bill 1275, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1275.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses for the Office of the Attorney General. It is at the Fiscal Year '87 appropriation level, plus the amount of money necessary to relocate the office during the asbestos abatement period, so that his operations are at the Fiscal '87 level and I would move for adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? The question is, shall the Senate adopt the First Conference Committee Report on House Bill 1275. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1-2-7-5 and the bill having received the required constitutional majority is declared passed. House...House Bill 1368, Senator...Lechowicz. House Bill 1-3-6-8, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1368.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1368, the First Conference Committee Report recommends that the House concur with Senate Amendment No. 1, that's an amendment that increased the prosecutors appropriation by a hundred and fourteen thousand. This report further makes changes to transfer eleven thousand dollars out of the Equipment...and appropriate...appropriates it to the Child Witness Program. This transfer was made as a result of the prosecutors misspending their fiscal '87 appropriation for the Child Witness Funding to purchase a car, the prosecutors are left with only five thousand dollars GRF. This is similar in nature as far as the misspending that we've seen in other departments, this is a corrective action. Basically, the prosecutors' GRF appropriation now is two million two hundred and ninety-six thousand dollars, and I ask for your support on the Conference Committee Report No. 1 on 1368.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1368. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1368 and the bill having received the required constitutional majority is declared passed. House Bill...I'm sorry, House Bill 1636, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1636.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the ordinary and contingent...expenses...excuse me, for the operations of the third coequal branch of government, the court system of Illinois. It is basically at the House level with some funding provided for the new mandatory...arbitration in the circuit courts, pretrial conferences, an assistant to the judges and the salary for the administrative program of the Judicial branch of government in accordance with certain studies they had done similar to CMS's approach, the job classifications and the rest of State Government. I would move adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DERUZIO)

Discussion? Senator Watson.

END OF REEL

REEL 05

SENATOR HATSON:

Thank you. I believe this is the court reporter bill and I'd just like to know, what did we do in the Conference Committee in regard to court reporters? Of course, their salaries will remain at thirty-seven thousand two hundred and fifty...at the maximum level, of course, of which five hundred and eighty of the six hundred and forty court reporters are at the maximum and then they get additional revenue for...pages and I understand...I've learned a lot about court reporters in the last week or so and it's been very educational. One thing that I've learned is that they...when they type their little machine in court, it takes a lot of time to transcribe that into...to pages because all they do is put that into a machine and then the machine types out the pages for them, and they get paid, of course, for that and it's...so it...there's a lot of...a lot of different situations in which court reporters have benefited very well. So they're in here...so, Senator, tell me what the Conference Committee did in regard to their...their budget, please.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Carroll.

SENATOR CARROLL:

Nothing.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

I won't be very long, I'll just say this bill got exactly thirty votes when it passed last time, just a reminder. The issue was the fact that the Supreme Court refuses to allow their fees to be audited. If we follow their precedent, six

billion dollars in state funds could not be audited. That's the issue that basically kept the bill...that and the court reporters held it to thirty votes. Also show a new add-on that we have not seen before is seven new administrative assistants...a hundred and sixty thousand dollars for seven new administrative assistants and...a increase of seven hundred thousand dollars since...since it only got thirty votes last time. I'm just going to vote No, you know, everybody knows that issue.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, just to clarify the court reporters. The court reporters don't just sit there, they do use their fingers typing on the stenotype machine and then they have to transcribe it, and just remember that your court records are the most important records you can have, and if you don't have qualified court reporters, there go your records. I might say that we've spent enough time arguing some of these things and it's time that we...we realize that this should go on and I...I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, I...think I was the thirtieth vote the last time, but I have a couple of questions. Have you...you've restored now the...the two million dollars for the pretrial services that we...that we cut out by Senate amendment?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Carroll.

SENATOR CARROLL:

Senator Hawkinson, yes, and let me...let me take a moment to say to Senator Watson, we did cut two million in the original Senate amendment from the court reporter's line and that amendment is still in so the court reporter's line is down two million from its introduced level which was the way it left the Senate. To Senator Hawkinson, yes, it is my understanding that the substantive bill that was amended that would have taken away the pretrial services, that one portion of the 502 Plan that became a .50 plan, was not successful in the House, therefore, pretrial exists. It was created a year ago, this is about a third of the request that was made for pretrial. The pretrial request from the court was six million dollars...excuse me, we reduced it to two million and that's in there.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

One other question. Is there money in this budget for the new judges that are being proposed to be added to all the circuits...a bill that was heard in the House last night?

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Carroll.

SENATOR CARROLL:

No, there isn't, period.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I just rise to state that I have a conflict of interest and will be voting Present on this bill.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. It was noted that we're restoring at two million dollars for probation pretrial services, is that correct, Senator Carroll? Could you tell me what the one million dollars is for the mandatory arbitration of the circuit courts? Who gets that?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, Senator Lechowicz, we passed substantive legislation, the Senate and House, to create in the circuit courts a concept of mandatory arbitration whereby a judge in a personal injury case can send the matter to binding arbitration by agreement of the parties to...in...in...in areas where the settlement would have to be fifteen thousand or less, the effort being to expedite the redress of grievances by using the arbitration method. As you know, the trial call is so long in especially Cook County that the thought of Justice Ryan who had spearheaded this matter for the court was that by having arbitration as is done in other states, you could truly speed up the smaller recoveries, and the...the thought again there is Justice Ryan felt there was about a three million dollar cost...three and a half million dollar cost for arbitration. We suggested they start slowly and we did put in one million dollars for that purpose.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

...so, basically, we're funding two programs...two new programs; two million dollars for probation pretrial and now we're giving them a million dollars for mandatory arbitration. Now is that going to Cook County?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Carroll.

SENATOR CARROLL:

I'm sorry,...those are two new programs, one was passed a year ago that...and that one should not be called a new program and that's the pretrial. Pretrial services were passed a year ago and partially funded for that year. This is an extension of...a continuation of that program. The mandatory arbitration is a new program that this General Assembly passed, yes.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right...Senator Lechowicz.

SENATOR LECHOWICZ:

Now further down now we're providing some new jobs? Who's getting what?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Carroll.

SENATOR CARROLL:

Each of the justices of the Supreme Court will get a...an administrative assistant, each of the seven.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

And what about the...what about the hundred and seventy-eight thousand dollars for the first year mandates for the...administration program, what is that about?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Carroll.

SENATOR CARROLL:

Two issues came up. There was a study by...Arthur Young & Company and a requirement under the Labor Relations Act that they reclassify...study and reclassify all of the employees of the court branch of government. That had never been done before. The hundred and seventy-eight thousand is to implement that report that came in weeks ago...merely weeks ago which required both a payment for the report but

more importantly some upgrading of salary levels consistent with that report. What it basically did is take the various job functions of the...administration of the court and...and try and tailor those to CMS type titles and determine what the salary levels would be. This would be the adjustment to reflect the implementation of that report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Senator, are you telling this Body that the Supreme Court issued a report...or conducted a report without having the money to pay for it beforehand?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

No, no, no. The court...it's the implementation of the...of the report of Arthur Young, that they had had the money in their contractual and did, in fact, authorize and then just received the report weeks ago. When they were before us in committee, they were discussing...they had projected some money for implementation; we said, no. They...they gave us then the date they expected the report to come in, the report has come in and these are the dollars they now claim to need.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I'll be very brief, Mr. President. I have the highest respect for the members of the Supreme Court, but I think that they, like everyone else, should be at the funding level of last year without any new programs or new employees, and for that reason, I'm going to be voting No on this First Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just remind you that this is the coequal third branch of government who operates as an agency of government. They have requested that each member of the court receive an assistant, as I identified at the beginning. They have, in fact, requested that they implement this study to make their employees equivalent of other employees of government. They are, in fact, at this level with this Conference Committee Report four hundred thousand dollars below the FY '87 spending level, so that the Supreme Court with these dollars appropriated is still four hundred thousand dollars below the FY '87 spending level. When we dealt with them in committee and in Conference Committee, we first reduced their budgets by several millions of dollars so that the implementation of these dollars is still below the FY '87 spending level and I would move adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEBUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 1636. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 28, 2 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Carroll, request a second Conference Committee? All right.

SENATOR CARROLL:

I'll have to check with the court.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Page...Senator Carroll, did...House bill 1897, Senator Carroll. Senator Carroll, so that the Chair

is...is perfectly straight, you did not request a second Conference Committee on the previous bill. All right. Mr. Secretary, House Bill 1897.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee report on House Bill 1897.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Carroll.

SENATOR CARROLL:

Let's try another one. 1897 is...excuse me, is the ordinary and contingent expenses of the Office of the State Treasurer. It is at the FY '87 spending level, including the supplemental appropriation but absent any amounts that had been for the audit because of the change in the personage of the Treasurer of the State of Illinois, and I would ask for adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1897. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1897 and the bill having received the required constitutional majority is declared passed. House Bill 2373, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2373.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Conference Committee 2373 went out of here on the Agreed Bill List. The House added a couple of technical corrections and an immediate effective

date and I would advocate its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report...on House Bill 2373. Those in favor will...will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 3, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2373 and the bill having received the required constitutional majority is declared passed...Senate Bill...Senate Bill 317, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 317.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Senate Bill 317 is the operations budget for the Department of...Conservation and the...Conference Committee Report is at the level of a hundred and twenty-two million seven hundred and eighty-six thousand dollars. I would move for its adoption and be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 317. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 317 and the bill having received the required constitutional majority is declared passed. Senate Bill 319, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate bill 319.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate do adopt Conference Committee Report No. 1 on Senate Bill 319. This report appropriates two hundred and eight and a half million dollars approximately to the EPA.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 319. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 319 and the bill having received the required constitutional majority is declared passed.

PRESIDENT:

On the Order of Conference Committee Reports, Conference Committee Report on Senate Bill 322, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate bill 322.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 322 is the Governor's appropriation. It's cut back to the '87...level, six million eight. Move to adopt the first report.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall

the Senate adopt the Conference Committee Report on Senate Bill 322. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 322 and the bill having received the required constitutional majority is declared passed. 326. On the Order of Conference Committee Reports, Senate Bill 326, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 326.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move...the Senate adopt Conference Committee Report No. 1. It's for the...restores the hundred and one thousand seven hundred dollars cut from the Senate including eighty-eight thousand for Personal Services and related lines for the Industrial Commission. This brings the total up to Fiscal '87 expenditures.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 326. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 326 and the bill having received the required constitutional majority is declared passed. Senator Etheredge, Senate Bill 327, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 327.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate do adopt Conference Committee Report No. 1 on Senate Bill 327. This is the OCE for the Department of Insurance. It appropriates 11.6 million dollars.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 327. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 327 and the bill having received the required constitutional majority is declared passed. 332. On the Order of Conference Committee Reports, Mr. Secretary, Senate Bill 332.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 332.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Senate Bill 332 is the OCE for the Department of Mines and Minerals. The reason this bill did not go out in the Senate as original and the Conference Committee had to be appointed was because one of the amendments was technically incorrect. It is at the level of seven million two hundred and ninety-eight thousand seven hundred, and I would move that we accept the First Conference Committee Report.

AB 337
exp. Comm. Rep. #1

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 332. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 332 and the bill having received the required constitutional majority is declared passed. Senator Karpel. On the Order of Conference Committee Reports, Senate Bill 337, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 337.

PRESIDENT:

Senator Karpel.

SENATOR KARPIEL:

Thank you, Mr. President. I move to concur in House Amendments 1 and 2 and...well, to concur on Conference Committee No. 1. House Amendment No. 1 added a total of two million four hundred and seventy-five thousand from the Medical Disciplinary Fund for the...implementation of the new Medical Practice Act. House Committee Amendment 2 reduced the State Board of Pharmacy appropriations by a total of a hundred and nine thousand at the direction of the department, and it...we also restored cuts made in the Senate from the Real Estate License Administration Fund and restored fifty-eight thousand eight hundred dollars.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 337. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 337 and the bill having received the required constitutional majority is declared passed. 338, Senator Mahar. Mr. Secretary, on Conference Committee Report, Senate Bill 333.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 333.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This is the annual appropriation for the Department of Revenue at one billion five hundred and seventy-five million nine hundred and eighty-three thousand seven hundred dollars, and I would move to accept the First Conference Committee Report.

PRESIDENT:

Discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Senator Mahar, if you would yield for one question.

PRESIDENT:

Indicates he'll yield.

SENATOR NETSCH:

Could you tell me what the final figure for refunds is in the revenue appropriation?

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

I'm told it's four hundred million both unitary and individual.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

I'm sorry, did you say it is four hundred million both corporate, including unitary and individual? That is a reduction from the original budgeted request, is it not?

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

It's over a thirteen million reduction.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Just a point to be made, the...I think it's important that we note and start to pay attention to the size of this refund amount because this is distorting our whole budgetary process, both on the revenue side and on the expenditure side, and while it is obviously too late in this Session to address it, I think we are going to have to do something so that we do not carry this as revenue that we, in fact, do not have access to even though it shows up also on the expenditure side. I think it's a major issue to be faced probably in next year's budget. Thank you.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, sir, I...thank you. I'd like to ask the sponsor a question. Indicates he'll yield, Senator Watson.

SENATOR WATSON:

I've been hearing from several of the communities in my district that have qualified as a TIF district that they were concerned about the money that we were going to appropriate for that. Would you mind going into that a little bit as to what we...what level we are and did we increase that or just exactly where are we?

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you. Yeah, it...it has been restored back to the ten million level which I think was the level that was originally introduced.

PRESIDENT:

Further discussion? Further discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 33J. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 58 Ayes, no Nays, none voting Present. Senate does adopt the Conference Committee Report on Senate Bill 338 and the bill having received the...required constitutional majority is declared passed. 580, Senator Dunn. 839, Senator Etheredge. On the Order of Conference Committee Reports, Mr. Secretary, is Conference Committee Report on...on Senate Bill 839.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 839.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I move that the Senate do adopt Conference...Committee Report No. 1 on Senate Bill 839. This bill appropriates 1.8 billion dollars to the Illinois Department of Transportation and it also includes the appropriation for the...Medical Center Commission.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate...Senate adopt the Conference Committee Report on Senate Bill 839. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

that question, there are 53 Ayes, 3 Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 839 and the bill having received the required constitutional majority is declared passed. Senator Carroll.

SENATOR CARROLL:

I believe after having received an opinion that on House Bill 1636 I should ask for a Second Committee on Conference be appointed.

PRESIDENT:

All right, the gentleman has requested a Second Committee on Conference on House Bill 1636. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 580, Senator Dunn. Mr. Secretary, on the Order of Conference Committee Reports is one Conference Committee Report on Senate Bill 580.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 530.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This adds 2.24 million in additional money to the Department of Children and Family Services and the Senate also concurs in House Amendments 1 and 3 which add 13.4 million to the State Board of Election for reimbursements for election judges as well as adding a hundred and sixteen...thousand for legal fees for the House in the Christianson versus Weller election debate.

PRESIDENT:

Discussion? Discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDENT:

Indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Senator, you and I both represent the Aurora region. How did we finally fair, because I just heard that we've lost more positions again. I'd like to know what happened.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

We take it to the current spending level, it's my understanding.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Perhaps the chairman of that committee could let me know...for the record, are we going...you know, I was promised we would get more help. My county, frankly, has gotten to the point they're going to start suing because we're up to a quarter of...three-quarters of a million dollars we're spending on kids. Now...are you...are you still playing around with us or did we finally get more money and more help in the Aurora region which is the five collar counties plus two other counties?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. To respond to Senator Fawell's question...excuse me, yes, in fact, money was taken from Aurora in this transfer bill. This was done, however, by the department. They said they would lapse these funds. They asked...the department itself asked that these funds be transferred out of this account into the other accounts. This was not done by committee action or anything else other than to acquiesce to the request of the department. They said that those funds would

not spend out in the next five and a quarter hours and that they would rather see those funds spent elsewhere where they had a problem.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Well, to the bill, and I hope my colleagues on this side of the aisle are listening, please. For those of us who are in the five collar counties plus Kankakee and Kendall, we've had it done to us one more time by the Department of Children and Family Service, again. They keep telling us, well, you know, we don't spend enough money. I, at the other hand, spend...my county spends six hundred and fifty thousand dollars every year in their probation department because we can't get help from DCFS. Lake County, Senator Geo-Karis and Senator Barkhausen have the same problem. Kane County puts three hundred and fifty-five thousand dollars into their county budget to take care of kids. McHenry County puts about a hundred and forty-seven thousand dollars every year into their budget to take care of kids. Cook County, on the other hand, in their great wisdom, puts zero. I would suggest very, very strongly that we reject this conference, we send a message to the...to the...to the director, who I...I have great admiration for and I...I like personally but he doesn't seem to understand that there are some people beyond the County of Cook that need help. I strongly suggest we reject this. We send it back to him with a big, strong message, you start taking care of us or nobody gets funded.

PRESIDENT:

Further discussion? Senator Dunn may close.

SENATOR TOM DUNN:

Thank you. I urge an Aye vote on behalf of the appropriation.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 580. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 38 Ayes, 20...20 Nays, none voting Present. Senate does adopt the Conference Committee Report on Senate Bill 580 and the bill having received the required constitutional majority is declared passed. All right, Supplemental Calendar No. 5 has been distributed, I am informed. If you can turn your attention to Supplemental No. 5. Senator Donahue, for what purpose do you arise?

SENATOR DONAHUE:

Thank you, Mr. President. Why...earlier when we were doing the appropriations for veterans' affairs, we had to take it out of the record so I could get some information. I have that now, if you'd like to clear up that Calendar. House Bill 776.

PRESIDENT:

All right, on Supplemental Calendar No. 4, page 2, Conference Committee Report on House Bill 776. Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 776.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Earlier in our discussions we were concerned about the...eleven offices that would be closed. I would like to clear up a little information. The House amendment eliminated the thirty-seven offices. We put back in twenty-six and then again we put back in the other eleven. It is these eleven offices that are removed by the Conference Committee and let me read them for you. It's

Warren County, Monmouth; Grundy County, City of Morris; Iroquois County, Watseka; Logan County, City of Lincoln; Tazewell in Pekin County...whoa, the Pekin office, excuse me; Edgar in the City of Paris, Franklin County, City of Benton; Randolph, the City of Chester; Richland, the only office; White, the Carmi office and Clinton, the Carlyle office. Those are the eleven that are removed by the Conference Committee Report. The other twenty-six that we had talked about in other discussions are back in the budget and that's what this amendment...or this Conference...Committee...Conference Committee Report does, and, unfortunately, I need to move that we adopt the First Conference Committee.

PRESIDENT:

All right, Senator Donahue has moved adoption. Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just to use a few terms that I guess I've learned a little bit down here, here we go again, and I want the people...or my colleagues on this side of the aisle just to pay attention. I...I'm really concerned about this, not from the standpoint that we do not want to fund the rest of the veterans. He definitely want to...to fund this department so we can take care of our veterans, but I'm sorry, I would rather see the Governor make that determination to cut out those eleven offices. I think whenever we make that determination here by not appropriating the funds, we have then made the decision not to fund those eleven offices. That's a burden I would rather put on the Governor and I just...I don't...I know we're not going to hold it up and I know it's a futile attempt but I would urge all of my friends on this side of the aisle and on that side of the aisle, and I hope I got a few, to vote No.

PRESIDENT:

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Only to inform the...the Senate that when the bill left here, we had restored the money for all the offices for veterans' affairs. As a matter of fact, there were about six or seven of us from both sides of the aisle met back here in the corner with the director and informed him of our intent. It's my understanding the cut came from our friends across the way in the House. Now I think this is a constituency that must be served and I think the Senate once this year has shown that we intend to do that and I'd like to join Senator Jacobs in asking you to please...I think it'll take about twenty minutes to twenty-five minutes to rewrite this and put this money back in and we can have a Second Conference Committee Report. I would ask you to please vote No so we can get a Second Conference Committee on House Bill 776.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd just like to echo the...the remarks of the previous two speakers. The office in Clinton County...and Clinton County is one of those counties in Illinois that has the highest percentage of veterans than any other county in the state. It costs twenty-two thousand dollars to operate that office and I just...I...I don't understand sometimes the...the thinking that we have or the people here in Springfield have in regard to the services that are closest to the people, and that's what we're talking about, these field offices are the ones that actually serve the people that we represent and...and we invariably go out and cut those areas instead of maybe doing something up here in Springfield that ought to be done, and I'm not blaming

the...the...the new director and I have high regard for Colonel Johnston and I...I...it's an unfortunate situation that we find ourselves in, but I just think...and I'm going to vote No on this simply because...and try...and try to send a message to...to not only this agency but other agencies that constantly go into the field to cut the services instead of doing maybe something here that could be done. Thank you.

PRESIDENT:

Further discussion? Senator Dunn. I beg your pardon, Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I've conferred with our members on the other side and I...I don't like to be the one to...to be sponsoring this any more than anyone else, and I would just refuse to...or...I want a Second Conference Committee, tell me how to do it.

PRESIDENT:

Okay. The question is put by the Chair in the affirmative as to the question of adoption and you suggest to your friends and neighbors that they vote No. All right, the question is, shall the Senate adopt the Conference Committee Report on House Bill 776. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 14 Ayes, 40 Noes, none voting Present. The Senate does not adopt the Conference Committee Report and the Secretary shall so inform the House and Senator Donahue moves for the Second...for a Second Conference Committee. All in favor indicate by saying Aye. Opposed Nay. Motion carries and the Secretary shall so inform the House. All right, Supplemental No. 5, Madam Secretary. Top of the page, 259, Senator Dudycz. On the Order of Conference Committee Reports, Supplemental Calendar No. 5...Conference Committee Report on House Bill 259, Madam

Secretary.

SECRETARY:

First Conference Committee Report on House Bill 259.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I move we accept Conference Committee Report 259. The Conference Committee Report has removed the objectionable language which was debated on earlier relating to the instances in which a law enforcement officer received an injury in...act of performance of duty...and I urge your support.

PRESIDENT:

Discussion? Senator Karpiel.

SENATOR KARPIEL:

Senator, when you say that some of the objectionable parts have been removed, are you talking about the part about with your own gun?...is that the part that's been removed?

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

No, Senator. The part I'm talking about is when the...a police officer is going to and from work that Senator D'Arco mentioned earlier, and when he is on break. It is specified if he is on break and he is on duty as a law enforcement officer...the Conference Committee.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Wasn't there a...a part of this bill that had something to do with...for instance, if he and his girlfriend had a fight, she could shoot him. Is that...I mean, that was in the original bill.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCYZ:

I...I'm unaware of a...a bill where a girlfriend of a police officer is allowed to shoot him, Senator. I think you're referring to Senate Bill 39 which we passed out of here earlier.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Hell, I...I...I meant that he...is this get the death...I have nothing in front of me on this bill, but there was a...there was a bill that Senator Brookins, I believe, was the sponsor of, that would have...allowed that to happen and he'd still be getting these death benefits. Is that not in this bill? Are you assuring me that part is not in this bill? Ah, thank you.

PRESIDENT:

Discussion? Senator D'Arco.

SENATOR D'ARCO:

Well,...I don't think it's in the bill. I think it says that the Conference Committee Report does not cover an officer injured by his own weapon in a domestic or personal dispute. So, I...I don't have the report in front of me but, hopefully, the Digest is accurate and it's not in the bill. Is that right, Senator Dudycz?

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCYZ:

It's my understanding you're correct, Senator.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 259. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who

wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 259 and the bill having received the required constitutional majority is declared passed. 486, Senator Poshard. Supplemental Calendar No. 5. On the Order of Conference Committee Reports, Madam Secretary, is House Bill 486.

SECRETARY:

First Conference Committee Report on House Bill 486.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we accept the First Conference Committee Report on 486. It simply delays implementation of gifted education plans to the 1991-92 school year and conditions those implementations upon the approval of a formula in funding plans submitted by the State Board of Education to the Governor and the General Assembly.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 486. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate does adopt the Conference Committee Report on House Bill 486 and the bill having received the required constitutional majority is declared passed. 1412, Senator Netsch. Madam Secretary, House Bill 1412.

SECRETARY:

First Conference Committee Report on House Bill 1412.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 1412 is the bill that deals with tax delinquent multifamily residential property particularly in...and attempts to speed up the delinquency process and the ability to get property back on the tax rolls. In the Conference Committee Report, we have done a couple of things; one, and most importantly, was to remove an amendment that had originally been placed on the bill in the House that effectively set up a series of...of...purposes for which priority would be given when the property is...does become available. That did not sit well with some of the people in Cook County and that has been eliminated. We had already extensively amended it in the Senate before we returned the bill. Secondly, the bill has...the bill will be amended by the Conference Committee Report in effect to restore this year's scavenger sale so that we won't run into any complications as a result of that; and, finally, the Conference Committee Report contains an immediate effective date so that the bill, for all practical purposes, is essentially in the form in which it was originally introduced in the House. I would move that the Senate adopt Conference Committee Report No. 1 to House Bill 1412.

PRESIDENT:

Discussion? Senator Raica.

SENATOR RAICA:

Mr. President, thank you. Can I ask the sponsor a question, please?

PRESIDENT:

Indicates she will yield, Senator Raica.

SENATOR RAICA:

...Senator Netsch, I'm sorry I...I couldn't hear you. Was...did you say there was a provision in here or there's not a...provision in here for any type of tax increase? None

whatsoever?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

No, it has nothing to do with that. What it involves is the procedures for trying to get tax delinquent property into the scavenger sale process and back on the tax rolls. There is no tax increase in the bill.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Mr. President and members of the Senate, I know that Senator Netsch is well-intended on this legislation and I plan to support it, but I do want to point out that in a period of depression or economic recession, this bill could place a great burden upon good, multifamily homeowners. There are good people that have multifamily residential facilities, but I'll...I'll support it 'cause it's well-intended and it'll get them back on the tax rolls.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1412. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1412 and the bill having received the required constitutional majority is declared passed. 2180, Senator Barkhausen. On the Order of Conference Committee Reports, House Bill 2180, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 2180.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I would have to point out, first of all, on House Bill 2180, even though I'm the sponsor of the original bill, that I did not sign this report. It contains the original bill which...I believe is unobjectionable and which we all supported the first time around which involves a...a mandate that the period of parole or mandatory supervised releases is now called begin...begins when a prisoner is released from prison; but in addition to that, the Conference Committee Report goes on to reduce the period of mandatory supervised release by varying periods of time depending on the seriousness of the offense. For a Class X felony, the period would be reduced from three to two years; for a Class II felony, from two years to sixteen months; for a Class III felony, from one year to nine months. The Department of Corrections, I believe, may actually have an interest in this, the reason being the shortage of the parole personnel now available and they are projecting some cutbacks that may more seriously affect their ability to carry on this specific task. So, for that reason, some of you may want to support this but others may have reservations, and on that basis, I present this report.

PRESIDENT:

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just...just to clarify so everybody understands the point. What we're doing here by this legislation is for the mandatory supervised released period, for murder, aggravated sexual assault, we're reducing the mandatory supervised release period from three years to two years. Okay? So that everybody is clear of what they're doing so you don't go back home and someone says, why did you do this? The supervisory period was three years, now you're doing it...you're reducing

that amount for the most serious crimes in the Statutes, murder and aggravated sexual assault, that's what you're doing if you vote to...if you vote Yes on this legislation.

PRESIDENT:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I would join the previous two speakers in urging a No vote on this Conference Committee and...so that it could be sent back and have this provision stripped. It's a bad provision and we defeated it in committee and got it to be removed. It's reducing the mandatory supervised release. The question of adequate supervision is not the only question involved when you reduce a period of parole or mandatory supervised release. What you're doing is...is you're shortening the period during which if there is any further violation of the law you can get that mandatory supervised release revoked and I would urge a No vote.

PRESIDENT:

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. In House Bill 2180, that may have seemed somewhat obnoxious to some members here, we also will be...I stand in support of it for one reason. We are talking about a physical strapped situation; yet and still, we are releasing people back into society who will not be able to be supervised because of cutbacks. According to the information I have received and the information was taken from the Department of Correction for...risk need classification system, it indicates that most offenders who fail do so within the early months after release, and merely the added amendment into this bill merely says that if a inmate is going to fail, he'll fail within those early months...and also give the supervisory persons a chance to look at them more closely. We do not have the money to bring in more

parole officers, therefore, this will give the parole officers more time to critique the activities of these persons we're releasing into our society, and if they fail to meet the criterion that we have set out there, they could then be returned into the Department of Correction for violation of their supervisory position. I stand in support of this subject matter.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2180. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 6 Ayes, 47 Nays, none voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House. 2591, Senator Degnan. 2827, Senator Philip. On the Order of Conference Committee Reports, House Bill 2827, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 2827.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to adopt the First Conference Committee Report on House Bill 2827. It simply did one thing, changed the date January 1, 1987 to January 1, 1988.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2827. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, there are 52 Ayes, 1 Nay, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 2827 and the bill having received the required constitutional majority is declared passed. Senator Hawkinson, 126. On Conference Committee Reports, Hadam Secretary, Senate Bill 126.

SECRETARY:

First Conference Committee Report on Senate Bill 126.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Senate Bill 126, Conference Committee Report No. 1 does about four things. First of all, the initial bill provides that there'll be no automatic credit for time spent on probation when there's a probation violation. It switches the presumption. Right now, if...if the court does not negatively deny credit, that credit is automatically given. That bill passed out of here unanimously. Second, this allows the circuit court clerk to send notice to the defendant, defense attorney and the prosecutor of probation violations. Right now only the probation department is currently authorized to send those notices. An important provision is Senator DeAngelis' bill, House bill 2722, which amends the Criminal Code to essentially put persons eighteen and over whose IQ does not exceed forty and who are institutionalized in a DD facility, nursing home facility or long-term care facility in the same posture as children in terms of the aggravated kidnapping child abduction, soliciting for prostitute, exploitation of a child, child pornography, aggravated battery of a child, criminal sexual assault, aggravated criminal sexual assault or aggravated criminal sexual abuse. Under the old law before we passed 606, Representative Jaffe's bill, you had what...was commonly referred to as statutory rape and other crimes. Children

were protected and others who were unable to give consent. When the changes were made, we protected children but we have not protected those who are otherwise unable to give consent. Senator DeAngelis' bill which is on this Conference Committee Report will give protection to those people who are currently not protected, and because of their definition as institutionalized, severely or profoundly mentally retarded, if the question of consent comes up in a trial, the person is unable to successfully deny that, this places them in the same posture as children and I think is an important filling of a loophole. The last part of this bill is...was put on by House amendment. There was a House bill, it has not been heard over here before, and it deals with residential burglary. I was a prosecutor for six years, state's attorney; when you passed the residential burglary law with the mandatory four years, I thought it was...and still think that it's the best bill that has come out for law enforcement in a long time and let me tell you why. Our experience and those of other prosecutors around the state were that it was very difficult to get a burglar sentenced to the Department of Corrections for a second offense, a third offense, sometimes even a fourth offense. You put in a mandatory four-year term and...created the crime of residential burglary. You have to meld in these mandatory sentence provisions the Statute with the practice, and I can tell you that what prosecutors do in the vast majority of jurisdictions is we set up standards for discretionary charging, when you will charge residential burglary and when you will charge straight burglary. Most of the jurisdictions for a first offender with absolutely no criminal record, where there's nobody home and they walk into an attached garage and take a bicycle or into an open screened door on an attached porch and take a couple of bucks, prosecutors do not charge those with residential burglaries, they charge burglary. What happens in those

instances is that you're lucky to get any time in jail even though a residential burglary has been committed. You will normally get a...a sentence of probation and maybe a couple of weekends in jail if you can convince the court of that, but prosecutors on the whole exercise judgment and...and do not charge kids in the kinds of situations I've described with residential burglary; however, a few do and in those cases, our office and the prosecutors I've talked to would...would disagree and say that there the law goes too far. The state's attorneys not only in my district but the state's attorneys in general are supportive of this House amendment which does the following. It says that if a...a young person has absolutely no criminal record, that means no misdemeanor convictions, no nothing, and they go and...and commit a burglary and no one was home, that the court may, doesn't have to, may still give...sentence up to the fifteen years but has the option to give a hundred and eighty day sentence which may be served either in the county jail or the Department of Corrections at the judge's discretion. In my judgment and in the judgment of the state's attorneys in Peoria, Knox and Warren that I have talked to and the other state's attorneys who are supportive of this bill, this will actually give the prosecutor an additional weapon in these cases. What it will do is those first-time offenders who you'd like to charge with residential burglary but don't under the current system because of the criteria you've set up because they shouldn't get four years in a penitentiary, this instead of the weekend or two in jail will give the prosecutor that leverage to charge them with residential burglary, get them convicted of a Class I felon...felony and have them serve a hundred and eighty days in jail. Granted, for that limited class of person it reduces what if they were charged would have been a four-year sentence or two years incarceration, but the state's attorneys favor this proposal

and I favor it because in practice those individuals aren't charged with residential burglary except in a rare instance, they are charged with burglary and the sentence is much lighter. So, I believe this gives prosecutors an additional weapon. It's been approved by the prosecutors in my district and other state's attorneys and I would ask for the adoption of Conference Committee Report No. 1 for Senate Bill 126.

PRESIDENT:

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

A question of the sponsor. It's a...

PRESIDENT:

Indicates he'll yield, Senator Schaffer.

SENATOR SCHAFFER:

...I guess it's a question on page 7. Senator Kelly pointed this out to me. It's some language that...a little disturbing, I...it refers to a...a prostitute who is an institutionalized, severely or profoundly mentally retarded adult, I...I'm just kind of uncomfortable with that language since, obviously, somebody who is severely and profoundly mentally handicapped and retarded is...you know, I...I...it's a...it's a small point, but I just kind of...it sure could have been worded a little more gracefully, let's put it that way unless there's some state of legal art I don't understand.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

I would yield to Senator DeAngelis...but it...this is part of his bill, but I will attempt to give what I understand they're...they're trying to get at here. They've taken all the...the sex offense bills in the Statute and have tried to treat children the same way as the institutionalized severely...retarded adult. Why they decided they needed this

section, I'm not sure. In this particular section, I don't think that...that it does any harm. If you have someone who's institutionalized and somebody is using that person within the institution for purposes of prostitution, I think they ought to be protected. I don't know that that is happening anywhere, but that's why it's in the...in the bill.

PRESIDENT:

Discussion? Further...Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. As I read Conference Committee Report No. 1, what we're saying to the burglars of Illinois is that if you break into my house or to my neighbor's house, you're going to get ninety days in jail or forty-five with good time. I think it's crazy. My experience with the courts as a police officer showed that judges as a practice are liberal with these offenders. Don't forget a lot of these burglars are...are home invaders. If there's somebody home...if your wife or children are home, they break into that house, many times they tie them up and commit other crimes. I stand in strong opposition to this. I think it's a bad bill. I think we should defeat it.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just on the same subject that Senator Schaffer mentioned a few minutes ago and...this bill was sponsored, Senator Schaffer...Senator Schaffer, by Senator DeAngelis and it was posted in the Judiciary Committee and I think the Judiciary Committee did its work and didn't let the bill out of committee. This portion of the bill that you're referring to which is now in this Conference Committee Report and I don't have a problem with the rest of the Conference Committee Report, but I agree with you about the language regarding a prostitute who is an institutionalized, mentally retard adults and I'm

not sure why we need that in here, no one has explained why we need it in there, I don't know why it's in there. It didn't get through committee and...I'm wondering if maybe we don't...take it out on Conference Committee Report No. 2.

PRESIDENT:

Further discussion? Senator Collins. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question? Is...is this permissive language, the judge may or may not sentence him to a hundred and eighty days? So, in other words, if he wants to sentence him to a higher...term, he can...he can sentence him to the four years?

PRESIDENT:

All right, gentlemen, please. Senator Hawkinson, in...in response to Senator Fawell's question.

SENATOR HAWKINSON:

...absolutely, it's a minimum penalty, the court can give up to fifteen years in prison, and in response to the comments by Senator Dudycz...

PRESIDENT:

Well, that's...that's not in order. You'll have an opportunity to close. We're not going to start that kind of dialogue. Senator Fawell.

SENATOR FAWELL:

Well,...well, to the bill...I've...I've talked to some of our assistant state's attorneys and...and, very frankly, they...a lot of our assistant state's attorneys think they...we've gone too far with the original bill too, and I'll tell you why. What we have done is we have mandated...mandated that a...that a person who commits a residential burglary, whether there's anybody home or not, has to be sent to jail up to four years. The problem with that is when you've got a seventeen-year-old,

eighteen-year-old kid who goes next door, who breaks into his neighbor's house because he's drunk or he's...or he breaks into his attached garage, whatever, all of a sudden you've got this horrendous crime where you've...you're going to send this kid off to Joliet for two years, and what Senator Hawkinson said is true, they won't prosecute under that, then they drop the charges down. They drop the charge and they don't charge him with residential burglary, they charge him with burglary and then they can't send them to jail at all. A lot of these judges nowadays would like to teach these kids a lesson, throw them in the county jail, let them get a taste of it, make them realize that this is a very serious offense but they don't want to throw them into Joliet or in any of the...in any of the state prisons because then you're...you're ruining the kid for life. I think this is a good bill and I think we ought to support it.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, thank you, Mr. President, and rather quickly. Senator Marovitz, I don't know if you've ever been through our state institutions with the...severely retarded, and I won't go into some of the incidences that have occurred, but I have to tell you there's some very helpless people that have, in fact, been, for the lack of a better word, attacked, and I...and right now they have no coverage under the law without this being in there.

PRESIDENT:

Further discussion? Further discussion? Senator Hawkinson may close.

SENATOR HAWKINSON:

Thank you, Mr. President. One of the earlier speakers used the term ninety days. That's inaccurate. It was amended in a subsequent amendment to go to a hundred and

SB 696
C.C. Rept.

eighty days minimum. This does not take away the mandatory four-year sentence for the vast majority of residential burglars. What it says, in those cases where they're not charged now, which is the first offender with absolutely no prior record, where they're not charged now by the state's attorneys, they can be charged for Class I felons and get a minimum of a hundred and eighty days; they may still get four...four years, they may get fifteen years. This just deals with first offenders where nobody is home. The state's attorneys stand in support of this proposal. It will give them one more tool. I ask for the adoption of this report.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 126. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 16 Nays, 3 voting Present. The Senate does adopt the Conference Committee Report on Senate bill 126 and the bill having received the required constitutional majority is declared passed. Top of the next page...top of page 2, I guess, on Supplemental No. 5, 696, Senator Berman. Conference Committee Report on Senate Bill 696, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 696.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we adopt the First Conference Committee Report on Senate Bill 696. This bill passed out of both Houses. When it went to the House there was found a technical error. It's the bill that dealt with the special education joint agreement tenure provisions for those teachers. That correction has been corrected in the

Conference Committee Report. That was the only technical change. Move the adoption of Conference Committee Report No. 1.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 696. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 696 and the bill having received the required constitutional majority is declared passed. 1025, Senator Kelly. On the Order of Conference Committee Reports, Madam Secretary, Senate Bill 1025.

SECRETARY:

First Conference Committee Report on Senate Bill 1025.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I move that we concur in the First Conference Committee Report on Senate Bill 1025. This bill was sent to a Conference Committee to correct a technical flaw. This is final action. What the legislation now does is provide an increased penalty for repeat offenders against children in abuse cases. The present law provides a Class II felony and this report raises that to a Class I. It also provides an aggravated battery penalty against any person who batters a physically handicapped person, and the third concept in this bill is it provides the offense of a habitual offender to anyone who is found guilty of aggravated battery against a child who has been placed in their custody. I renew my motion and appreciate any support.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1025. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1025 and the bill having received the required constitutional majority is declared passed. Senator Holmberg, 1263. On the Order of Conference Committee Reports, Madam Secretary, Senate Bill 1263.

SECRETARY:

First Conference Committee Report on Senate Bill 1263.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we adopt Conference Committee to Senate Bill 1263. This basically corrects a flaw in the original bill and allows dual school districts with kindergarten through eight to apply for the model projects and counseling.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1263. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1263 and the bill having received the required constitutional majority is declared passed. Senator Zito. On the Order of Conference Committee Reports, Madam Secretary, is Senate Bill 1407.

HB 2591
C.C.R.

SECRETARY:

First...Conference Committee Report on Senate Bill 1407.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members of the Senate. I would ask that the Senate do adopt Conference Committee Report No. 1 to Senate Bill 1407. The Conference Committee Report is...identical to the way it left this Chamber with the exception that the House now on the Conference Committee Report has asked for a judge to serve in an advisory board, and I would move for its adoption.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1407. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1407 and the bill having received the required constitutional majority is declared passed. Senator Degnan is back on the Floor. On the Order of Senate Calendar 5, Madam Secretary, Conference Committee Reports on 2-5-9-1, House Bill 2591.

SECRETARY:

First Conference Committee Report on House Bill 2591.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 1 on 2591 is all of what was in 2591 earlier except we delete Senate Amendment No. 3 which the House apparently found too progressive and, as you recall, provided that some-

one involved as a motor vehicle operator with a pedestrian which results in injuries to...to the driver or occupants in another car or that pedestrian would have been guilty of a misdemeanor. That has been stricken. All the other parts of House Bill 2591 remain in the bill. They are nonobjectionable, I believe, and I move adoption of...No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the Conference...First Conference Committee Report on House Bill 2591. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2591 and the bill having received the required constitutional majority is declared passed. Page 2 of your Supplemental Calendar No. 5 is Senate Bill 600, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 600.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 600 as introduced and passed by the Senate was an amendment to the Park District Code and the Illinois Municipal Code, and it permitted an increase in the levy for recreation for the handicapped from .02 to .04 and did not provide...did not provide, does not provide for a referendum, either front or backdoor. As I'm sure you'll remember, there are seventeen of these joint programs state-wide providing special recreational opportunities to some fifty-five thousand handicapped individuals across our state. It is a consortium of park districts and municipalities and

villages and a referendum simply is unworkable. The House added two...three amendments, two of which had to do with an increase levy for garbage and one of which restored the back-door referendum to this levy. By virtue of this Conference Committee Report the House has receded...receded from all three House amendments. They are giving up on their amendments and they put the bill back in the form in which it was first addressed and passed by this Senate with forty-one affirmative votes. This is a worthwhile program that has been endorsed by the Taxpayers' Federation, and I would solicit an Aye vote for the First Conference Committee Report on Senate Bill 600.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Geo-Karis.

END OF REEL

REEL 06

SENATOR GEO-KARIS:

...will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEWUZIO)

The sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

...the bill as it went out from the Senate did provide for a back-door referendum, did it not?

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Rock.

SENATOR ROCK:

It did not and that's the point. It did not provide for a back-door referendum, no. Now this Conference Committee Report has passed the House already, the bill as it is now before us passed this Senate with forty-one affirmative votes and I solicit the same kind of a roll call.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, thank you, Mr. President. I was...I see that I am...was placed on the Conference Committee Report, I have not seen the Conference Committee Report and I...I did not sign it. I would have, however, knowing that the bill is back in its original form. This bill was strongly supported by Taxpayers' Federation, one of the few bills of the kind that they did not require a back-door referendum. This is essential for the help of handicapped people throughout this state and it's one instance where we could certainly vote for...help for them and...and get the appropriate kind of help that they need at this point. So I urge your support of this Conference Committee.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President. Again, this passed in this form by this Senate not a few weeks ago with forty-one affirmative votes. I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on Senate bill 600. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 6, 1 voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 600 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 6...Supplemental Calendar No. 6. Senator Marovitz on the Floor? Senator Marovitz. 421, Senator Marovitz. 2034, Senator Jones. Senator Jones on the Floor? 2201, Senator Geo-Karis. On the Order of Supplemental Calendar No. 6, Conference Committee Reports is House Bill 2201, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2201.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the House concurred...finally concurred with Senate Amendment 1 to House Bill 2201 and I move for its passage.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 2201. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who

HB 2838
e.e.R. #1

wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 3, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2201 and the bill having received the required constitutional majority is declared passed. 2838, Senator Barkhausen. House Bill 2838, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2838.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the Conference Committee Report on House Bill 2838 includes the earlier provisions of the bill as it passed this Chamber including Senate Amendment 1. In addition, the Conference Committee Report provides for the following. It establishes priority lien status for health care providers who have agreed to hold HMO enrollees harmless from liability in the event that the HMO becomes insolvent. This is a supplement to the amendment to another bill that we passed out of this Chamber providing for a Guarantee Fund and other provisions in the event of an insolvency on the part of an HMO, that was Senate Bill 1115 sponsored by Senator Jones. Under that bill, hospitals will be required to sign hold harmless agreements, meaning that if the HMO goes in...becomes insolvent that...that the hospitals will not be able to go directly after the patients to have the bills paid, but in exchange for that, this provision gives them priority lien status in the event of an insolvency. In addition, this Conference Committee Report also provides that future employment contracts shall not be based solely...and I emphasize the word solely, because that was left out in an earlier draft, shall not be based solely upon a...physician's participation in a dispute over the medical necessity of treatment proposed by the physician. I know of no objection

to this Conference Committee Report and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 2838. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 56, the Nays are none, none voting Present. The House...the Senate does adopt the First Conference Committee Report on House Bill 2838 and the bill having received the required constitutional majority is declared passed. 822, Senator Marovitz. Senate Bill 822, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 922.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator...Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This clarifies the law...I move that the Senate adopt Conference Committee Report No. 1 to Senate Bill 822. This clarifies the law prior to an appellate court decision which created some ambiguities. The bill restores the practice of giving notice to the trustees rather than the beneficiaries and the issue of whether the beneficiaries are to receive notice was not clear by the recent appellate court decision, but by the Conference Committee Report we made it very clear that...was ultimate liability on the trustees after a final account that the beneficiary could look to the trustee for liability ultimately and that was written into this Conference Committee Report so that there would be an account...someone accountable after a final accounting, and I ask for adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, if you notice, I did not sign this conference report. When we put...pushed this bill out of the Senate, we said that notice must be given to a beneficiary in a trust who possesses a present vested interest and is not an heir or a legatee because they get that automatically. I feel that we should protect the beneficiaries of the trust as much as we can, and under this Senate conference report, all this says is a trustee given notice of an account under this section shall be liable to trust beneficiaries for any breach of fiduciary duty. How are you going to protect your son's trust if your son is a beneficiary and no...no notice is given to him by the trustee? The trustee should give notice to the people who are in...have a present vested interest as beneficiaries, and I do not feel that this...conference report is good. It does not really protect the beneficiaries and I believe Senator...Berman and I had the same objections in the Judiciary Committee when that bill was brought up and the amendment went on which changed...made it...necessary for notice to be given to the beneficiary who possessed a present vested interest and I...I speak against the adoption of this report.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Senator Geo-Karis, I apologize, I've had conversations on this item since you and I took that position. Let me explain to you what this amendment does. The issue was whether a fiduciary must give notice to beneficiaries when they file their final account. It was explained that when there are minors or other beneficiaries that to give them notice may defeat the purpose by

which the trust was set up. In order to protect those beneficiaries, I insisted that language be put in which is in this Conference Committee Report that says that there is a legally responsible person, namely, the trustee, whose obligation it is to examine the fiduciary's final account and if there is anything wrong, he's to take action on it. If...if he is negligent and doesn't protect the beneficiary's interest, the trustee is liable to those beneficiaries. Otherwise, it was explained to me, and I agreed with them, that you would have to...have to appoint guardians ad litem for all of the minor beneficiaries during any filing of a final account by a fiduciary. I think that the language in here protects the minor...beneficiaries. I was personally satisfied with this Conference Committee Report, I'm going to vote Aye.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? If not, Senator...Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Well, without this amendment that's been put into the Conference Committee, the beneficiaries would have ten days notice and if they didn't act within ten days, they would be foreclosed. Now that notice goes to the trustee, the beneficiary...if the trustee is negligent, the beneficiaries are not foreclosed, they're never foreclosed and they can take action against the trustee so the beneficiaries are, in fact, protected where the other way, after ten days then they'd never be able to do anything in ten days, their...their action would be prohibited. I think this is a protective measure and I would ask for adoption of...Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEBUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 822. Those in favor

will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 322 and the bill having received the required constitutional majority is declared passed. Senate Bill 1014, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Senate Bill...First Conference Committee Report on Senate Bill 1014.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1014...the Conference Report to Senate Bill 1014 restores it to the original form that passed out of the Senate and I would move for its adoption with the...with the House Amendment 4.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I believe that this bill when it first came out of the Senate had a rather close vote. The House attempted to correct some of the problems that we found in the Senate. The Senate sponsor has chose to try to restore the bill with the original problems that occurred. I have a question first and then some comments. Senator Severns, who are you doing this bill for or why are you making these changes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns.

SENATOR SEVERNS:

The bill is geared toward the individuals in this state who so desperately need job training or retraining to be able

to better their chances to be employed again, that is who the bill is for.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Such a noble purpose is extremely difficult to disagree with, but what you're doing is taking a council that exists and forcing them into some action that they absolutely oppose and, right now,...and you're also getting opposition from the people that they're working with. Now, with that much disagreement, I don't know if that...that noble purpose that you espoused is going to get accomplished.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Severns may close.

SENATOR SEVERNS:

Senator DeAngelis, because you are so noble, I'm certain if you understood the bill and its intent, you, too, would agree and I'll tell you why. To receive Federal job training funds it is necessary that we have a Job Training Council. The Job Training Council, as the Federal Auditor General has indicated as he toured throughout every state of this nation, is supposed to be the independent body that oversees all job training efforts in each state. In Illinois, we don't have an independent body. The Job Training Council in Illinois is housed in and staffed by the Department of Commerce and Community Affairs. The problem with that is simply this. The bulk of the job training dollars that we expend in this state are expended through the Department of Commerce and Community Affairs. If we spend over one billion dollars in this state for job training programs, it is my belief quite simply that to have an objective review of job training programs in this state, it is impossible for objectivity to remain if they're examining the very programs that they conduct. It's not only

the opinion of this Senator that our review is not objective, it is the opinion of the Illinois Commission on Innergovernmental Cooperation, a very strong commission...bipartisan commission who has a darn good track record. It's also the opinion of twenty-six researchers of the University of Chicago that our programs are not working. My point is simply this. What we do or fail to do in the area of job training and retraining in this state is too far...is far too important to be lost in a turf battle and that's the...real issue that remains in this bill. The turf battle is with DCCA. DCCA says they don't want to relinquish this council; I say the...the goals of this council are far too important to be lost in turf battles. I would urge your adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, you had not made a question, you finished with a statement. I recognized Senator Severns to close, there were no other lights on at that point. As soon as I recognized Senator Severns, we got a few people that jumped up. For what purpose do you arise, Senator DeAngelis?

SENATOR DeANGELIS:

Well, I wasn't done, but I'd like to get on a point of personal privilege in that she did mention my name in the closing debate if that's what you want to refer to. I did ask her a question and that's what she was answering. Now,...

PRESIDING OFFICER: (SENATOR SAVICKAS)

It sounded to the Chair like a statement and she made her closing statement.

SENATOR DeANGELIS:

Well, that's Italian grammar, you know, we go like this. Senator Severns, I listened to you real hard, it's not a turf battle. These people don't want to be disjoining. They are not people that are asking to be taken out; in fact, to the

contrary, they want to remain where they're at because DCCA offers some staff support that they would not get as a independent body. So it's not a turf battle at all. Secondly, you are in violation of the Federal law that grants this money because the Federal law states that the Governor should make these appointments, you have changed the appointment process as well. Now, I respect the fact that you want job training to work and I agree with you that oftentimes it doesn't, but I really believe we're blaming the bathroom scale for being overweight. It isn't because of the council, it's because, in fact, some of the field programs are not working. I think this is a bad mistake and a bad move and it's going to end up being counterproductive to what you're trying to do, and I urge the defeat of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right. Senator Severns, just a moment. Senator Hudson.

SENATOR HUDSON:

Well, thank you, Mr. President, for your understanding. I did have my light on originally and...and then I did shut it off during...well, it doesn't matter, thank you. This...this particular bill...and, Senator Severns, I don't want you to think that I'm taking out after you in any way, but this particular bill has had more twists and turns and convolutions than a skateboard. We've addressed it before and...on the Floor here, but I think the one point that should be made and that is that when the bill came out of committee, it came out with affirmative votes across the...across the aisle here, you might say, but those affirmative votes were placed on with the understanding at that time that the sponsor would seek to find an accord with DCCA. There was a great deal of discussion about DCCA's objections to this particular bill and my recollection is that the

understanding was that she would do her best, and maybe she has, to find an accord with DCCA. Whether this is considered a turf battle or not, I don't think is...is as important as what has finally happened, and that is that DCCA did...there were some amendments in the House and those have been stripped off of this bill and we're pretty much back to square one which means that this new council, which is...duplicative I still believe, will have to hire its own staff and DCCA having no say whatsoever in the personnel involved in this new agency; and I...I just feel that this is a piece of legislation that is really, really unnecessary and ill-advised and I would...I would urge a No vote on it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Severns may close.

SENATOR SEVERNS:

Thank you, Mr. President, members of the Senate. I won't repeat that which has already been discussed but I would like to just remind members as they vote that there are over twenty-six job training programs in this state conducted by twelve different state agencies. The left hand does not know what the right hand is doing. We're attempting in this bill to provide greater coordination and simply to make the one billion dollars that we spend on programs in this state work better, not only because we should but how we respond or fail to respond will dictate how well an unemployed individual or underemployed individual increases their opportunity for employment. I would urge adoption of this Conference Committee Report on Senate Bill 1014.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1014. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all

voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, none voting Present. The Senate does adopt the Conference Committee Report on Senate bill 1014 and the bill having received the required constitutional majority is declared passed. For what purpose Senator Hudson arise?

SENATOR HUDSON:

Verification, Mr...of the...of the affirmative.

PRESIDING OFFICER: (SENATOR SAVICKAS)

There's been a request of the affirmative vote. Will all the members please be in their seats and will the Secretary please call the roll.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, D'Arco, Egnan, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Luft, Karovitz, Netsch, Newhouse, D'Daniel, Posnard, Savickas, Severns, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hudson, do you question any of the affirmative vote?

SENATOR HUDSON:

Senator Jones.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Jones on the floor? Senator Jones. He is...there he is in the back of the Chambers.

SENATOR HUDSON:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce. Senator Joyce in the Chambers? Senator Joyce. Strike his name from the record.

SENATOR HUDSON:

Senator Welch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch...Senator Welch is standing in the back.

SENATOR HUDSON:

That's it, Mr. Chairman...Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll, we have 30 Yeas, 28 Nays, none voting Present. The roll call has been verified and the bill having received the required constitutional majority is declared passed. Senate Bill 1222, Senator Rigney. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1222.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, Senate Bill 1222 is actually a Department of Revenue tax enforcement bill. As it left the Senate it...it provided for the Secretary of State to dissolve administratively a corporation which had not paid its taxes. Under advice from the Secretary of State, the recommendation was made that it might be even more difficult to collect back taxes from a dissolved corporation, and that is the thrust of what is contained in that amendment and in this Conference Committee Report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. As I understand it, Senator Rigney, in every other respect the bill is as it left Revenue Committee in the Senate, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rigney.

SENATOR RIGNEY:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate adopt Conference Committee Report on Senate Bill 1222. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1222 and the bill having received the required constitutional majority is declared passed. Senate Bill 1322, Senator Friedland. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1322.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1322 as it passed this Senate amended the...rewrote the Illinois Clinical Laboratory Act and it passed the Senate unanimously. It was added to another bill in the House and the First Conference Committee Report, which I urge its adoption, strikes everything after the enacting clause in this bill and...provides...amends the Nursing Home Care Reform Act of 1979 to provide that the Department of Public Health may petition a circuit court for appointment of a receiver in the event that the department is notified that a facility is terminated from or will be...not...or will not be renewed for participation in either the Federal Title 18 or Title 19 reimbursement program. It's agreed to by everyone and I urge that the body adopt this report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not...if not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1322. Those in favor will vote Aye. Those

opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report to Senate Bill 1322 and the bill having received the required constitutional majority is declared passed. Back to the top of the sheet, we have House Bill 99, Senator Marovitz. Mr. Speaker.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 99.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I move that the Senate do adopt Conference Committee Report No. 1 to House Bill 99. Within the last half hour there's been total agreement by all parties on this bill so that the initial Conference Committee Report that was distributed was destroyed and another one sent out. The...the providers, AFSCME, the Catholic organizations have all gotten together within the last half hour and agreed to the language of the...the membership on the Child Welfare Council has been taken out and the organizations to be considered for appointment are placed in the bill. There is no opposition to it now, everybody is on board and I solicit your adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Topinka.

SENATOR TOPINKA:

Just to concur from my side that it is just a most miraculous bill at this point of the game.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 99. Those in favor will vote

Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report on House Bill 99 and the bill having received the required constitutional majority is declared passed. House Bill 421, Senator Marovitz. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House...or First Conference Committee Report on House Bill 421.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ

Well, if...if I might have leave to get back to this, I've just been informed that the House is still getting signatures of the report. It has not been distributed, is...is that correct? Well, apparently, we're still getting signatures and if we can have leave to get back to it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. House Bill 2034, Senator Jones. Mr. Speaker.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2034.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I move that the Senate adopt the First Conference Committee Report on House Bill 2034. The Conference Committee Report reflects the...House Bill 2034 the pure pristine manner in which this bill appeared in the Senate without the Senate amendment, and I move that the House adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Dunn.

SENATOR THOMAS DUNN:

Thank you, Mr. President. I urge a No vote on the committee report...the Conference Committee Report because this eliminates once again a referendum that was given to the people by this Body some two years ago. So I urge a No vote in this that would preserve the people's right to a referendum to decide for themselves in my district.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will. He indicates he...

SENATOR FAWELL:

Could you tell me...we're talking about not having a referendum on an airport? I mean,...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

I don't know how far your district extends, Senator Fawell. It doesn't impact on the DuPage Airport.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Fawell.

SENATOR FAWELL:

But the other day when we were talking about a referendum about DuPage County, you had a colleague in the other...in the other House that even introduced a bill that would allow a referendum. I mean, surely, you wouldn't deprive your own constituents in your own Democratic district from having a referendum when you said so loudly and so clearly that it is so important for those in my district to be allowed this privilege. So I...I really expect all Democrats would nat-

urally vote No on this because you're taking something away that you gave to my people.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Well, I think the referendum part is only a small part. The other part deals with the ability of Lewis University to sell the airport that's located on their property, the property that they own. A...State Representative who represents that area and is also an attorney and is representing some of those home owners out there is trying, evidently, because they failed in the court action to prevent...or to prevent the Lewis University who owns the property from selling their own property. They're trying to say that they can't sell their property, only the port district could buy it or they can't do it legally. Well, that's...it was held unconstitutional. This is not a thing...a referendum on the ability to create an airport, it's people that own this property and want to sell it. Now, you've got attorneys that because they lost in court trying to come in through...through the Legislature to say that you can't do it. Well, that's insane, that is insane. Those homes were built after...after that airport was established. Those home owners knew that the airport was there, they built around it. Now they're saying, well, now we don't want you to sell it...we don't want anyone else to use it for an airport. So we don't want you to sell your own property, well, this is crazy. I think we should adopt the Conference Committee Report and go on with legitimate business.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This affects...this affects not only Senator Dunn's district but my district as well.

The issue is whether or not Lewis University will have the ability to expand an airport. They want to circumvent the process of a referendum is because they haven't sold it to the people in the area. I think that's unfortunate and I think that's unfair. Senator...Dunn and I share the fastest growing township in Mill County, Homer Township. Now the Lewis University is not in Homer Township but it's contiguous, it's near the border of it and neither of the...when we heard this bill in committee...and this issue has been around...bounded around here several times during this Session and it's been stated that everybody is on...on board, it's a great economic development tool; yet, the people in my district from Homer Township one hundred percent in their correspondence with me have been opposed to this. The only local unit of government in Homer Township is the town...township board, they have not signed off on this. So if it's such a great tool and so popular, then I would think a referendum would...would fly very easily, but I don't think that's the case. I don't think they have sold this to the people in this region and I would urge a No vote.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. I rise in support of this Conference Committee Report for the reason that it does create the Alexander-Pulaski County Regional Port District which is in my area. It's a very poor area, it needs a lot of economic development potential and this port district has the potential of helping some very depressed counties down there. It's unfortunate that this is teamed up with the elimination of the referendum provision, but there...you know, I hope we look at this piece of legislation as a whole and it does have a very positive effect on some of the very poorest areas of the state, and I would ask that you support

AD 474
1st Conf. Comm. Rept.

this Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? If not, Senator Jones may close.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. As my colleague Senator Savickas pointed out, Lewis University has that right and they should be given the opportunity to do such. This is only a small portion of this most important piece of legislation. As I indicated before, the bill did come out of the Senate Exec. Committee with the provisions that's in there almost a unanimous vote. I ask this Body to adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 2034. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 18, the Nays are 34...the Nays are 4. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Jones. Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I...I respectfully request a Second Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Jones respectfully requests a Second Conference Committee. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Supplemental Calendar No. 7 is House Bill 474, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report revised on House Bill 474.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 474 does a number of things, let me go down them and be glad to answer questions on any one of these items. It...it includes the original provisions of this bill that judgment interest shall be computed and charged only on the unsatisfied portion of a judgement as it exists from time to time. It makes a number of changes technical only, nonsubstantive in the mortgage foreclosure law that we passed last year. It provides for incarcerated individuals will still have two years after release to bring a cause of action unless the claim is against the Department of Corrections or a past or present employee or official of DDC. Where the Statute of Limitations for a cause of action for personal injury including loss of consortium is told or extended, then the time is...in which a derivative action must be brought is also told or extended to coincide with the period of time in which the injured person must commence his or her original action. It also provides for a registered employee of a private detective agency may serve process in downstate counties. Next, it...provides for parties to a civil action may appear under fictitious names for good cause shown. It provides...has the provisions as we passed in Senate Bill 263 regarding the invading of trust income or principal which is due to a person who owes child support payments. It also provides for the disclosure of information or data other than patient medical records whether proper or improper shall waive or have any affect upon its...confidentiality or nondiscoverability or nonadmissibility as evidence, that's Senate Bill 1135 which passed the Illinois Senate. It provides for the products liability complaint to be served through the Secretary of State on defendants who are outside of the United States. It provides the same as Senate Bill

219 which dealt with the service of summons on beneficiaries of land trusts. It also provides for a...parent who is held liable for expenses incurred under the Family Expense Statute as a result of injury to a minor child to have the same cause of action time period which the minor child has, and it excludes the provision regarding the distress for rent, that was in Senator Macdonald's bill, that is not in this portion of House Bill 474. Be glad to include...respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee Report on House Bill 474. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee...the First Revised Conference Committee Report on House Bill 474 and the bill having received the required constitutional majority is declared passed. House Bill 1038, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1038.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. I move that we accept the first Conference Committee Report on House Bill 1038. It retains the major provisions of House Bill 1038 which provides assurances against conflicts of interest of local mental health at 708 Board members. It creates the Township Mental Health Facility Act and this provision would allow certain townships to provide facilities and services for the mentally retarded or the developmentally disabled by levying

an annual tax of .1 percent subject to a front door referendum. It is a front door referendum. So, that's essentially what the Conference Committee Report No. 1 does and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? If not, the question is, shall the Senate adopt the first Conference Committee Report on House Bill 1038. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 18, 3 voting Present. The Senate does adopt the first Conference Committee Report on House Bill 1038 and the bill having received the required constitutional majority is declared passed. House bill 1681, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1681.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. The First Conference Committee on 1681 has added some new language. The first part of the bill is the Regulatory Flexibility Division with DCCA's Small Business Assistance Office and in the...the second part...is the State Chamber of Commerce initiative for a Private Enterprise Review Advisory Board. The new language in the Conference Committee Report regarding the assessment of health and human services grants and contracts with state and...local agencies is at the request of the not-for-profit organizations and satisfies their concerns with the role of the board and also satisfies a concern that the University of Illinois had with the bill, and I would move the adoption of the First Conference Committee on...House Bill 1681.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 1681. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 1681 and the bill having received the required constitutional majority is declared passed. House Bill 2222, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2222.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, House Bill 2222 as it arrived in the Senate it was basically a vehicle bill which repealed the Juvenile Delinquency Commission which is basically somewhere between defunct and inactive. We amended on to that bill that created a...a victim...excuse me, amended the Bill of Rights for the Victims and Witnesses of Violent Crimes Act to allow a state's attorney to file a victim impact statement with the Prison Review Board which was a request of the Mothers Against Drunk Driving. As it turned out, there was some opposition to the repeal of the Commission on Juvenile Delinquency even though it has not been active or functional, and I deferred to Senator D'Arco's wish to keep at least the language on the books. And the Conference Committee simply deletes the vehicle from the vehicle bill and puts the...Victim's Right Act that I described, and I don't think there's any opposition.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Discussion? Senator Holmberg.

SENATOR HOLMBERG:

HB 2332
1st. C.C.R.

Yes, Mr. President, if I may. On the previous bill, had I been faster, I would have voted have on my own bill, which was House Bill 1681, I'd like it to be so recorded.

PRESIDING OFFICER: (SENATOR DEWUZIO)

All right. The electronic marvel will so indicate. All right. Further discussion with respect to House Bill 2222? The question is, shall the Senate adopt the First Conference Committee Report on House Bill 2222. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that...on that vote...on that question, the Ayes are...57 Ayes, no Nays,...none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2222 and the bill having received the required constitutional majority is declared passed. House Bill 2332, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2332.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President, members of the Senate. House Bill 2332 is in the same form as previously adopted by the Senate except for one additional provision. This is the Department of Registration and Education clean-up bill, I would call it. The Conference Committee Report allows a procedure for licensing of dental school graduates on a temporary basis pending receipt of the examination results in special cases and only in those cases where it's been worked out and agreed to by the Illinois Dental Society and the department. I would move adoption of the Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Discussion? If not, the question is, shall the Senate

adopt the First Conference Committee Report on House Bill 2332. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 2 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2332 and the bill having received the required constitutional majority is declared passed. Senate Bill 483, Mr. Secretary.
ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 483.
PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Etheredge.

SENATOR ETHEREGGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This Conference Committee Report...now does four things. It...the...the first item is the...the bill as it originally existed when it left the Senate, it empowered counties to work with municipal officials to plan together for solid waste disposal and that is the bill that...that flew out of the Senate. Over in the House, an amendment was added which established a civic center authority in West Frankfort. A second amendment was added at the request of DCCA and this was to clean up some of the civic center authorizations...those parts of the Statutes and then the Conference Committee Report itself...adds a fourth thing. What this does is to make it possible to...it...it authorizes the State Treasurer to transfer monies which are now held in the Protest Fund during the litigation of the telecommunications excise tax into the General Revenue Fund in order that those funds can be available for...for our use during the next fiscal year. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Discussion? Senator Marovitz.

SENATOR HAROVITZ:

I just want to get something clarified. I...I understand that the message tax money which is now in a Protest Fund and was intended...during the educational reform debate was intended to go for education is now being changed from education to GRF?

PRESIDING OFFICER: (SENATOR DERUZZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator,...that is not correct. The...the messages tax was passed as part of the educational reform package but that money went to GRF. It went to the...it was meant to go to the General Revenue Fund, so we're not...we're not changing that plan.

PRESIDING OFFICER: (SENATOR DERUZZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I don't have...Senator Etheredge, when we passed Senate Bill 730, we passed...the...the pop tax...soft drink tax and we passed the message tax. My recollection, and I'm sorry I don't have the...Senate Bill 730 here, was that there was a specific dedication of those tax monies to the funding of the reform categorical grants. Am I in error and could you just comment on...on my recollection?

PRESIDING OFFICER: (SENATOR DERUZZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, if we could just take about five seconds. I'm being coached right now, Senator.

PRESIDING OFFICER: (SENATOR DERUZZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you and I...I apologize for...for the delay but I...my own recollection is being refreshed and I...after

hearing the explanation, I...I partially misspoke before. Now, if I could...if I could just explain that. It appears that in...in Senate Bill 730, there was a dedication of the revenue up to a dollar amount which was to be...reserved to fund the educational reform package; beyond that, it went...it did go to GRF. What is being proposed now, I'm told, is that all of that money would be transferred to GRF so that it would be in one lump sum. So, if, during the course of the litigation...the appeal, if it ever becomes necessary for this money to be paid back to the...to the Protest Fund for redistribution to those who have paid it or whatever, that it...it would facilitate. It would be in one lump and not in...in more than one.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, let...Senator, could I...we're having our staff check...would you mind taking this out of the record and let us talk about it before we act?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

I would be very happy to do that, Mr. President, if we could have the option of returning to it later on after those discussions have taken place.

PRESIDENT:

Without objection, leave is granted. 731, Senator Etheredge. 1428, Senator Collins. Mr. Secretary, Conference Committee Report on Senate Bill 1428.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1428.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. 1428 is the newly created Abandoned Housing Act. The Bill went to the House and we were in the process of working on some amendments, being a new Act, to make sure that the...the Act can, in fact, be effective and be effectively administered through the courts. I think we have done a tremendous job on tightening up the language in this bill, and what it does now basically, it...it clarifies and explains and expands the definition section of the bill. It reduces the time period for abandonment from eighteen months to one year and it adds to that section a two-year tax delinquent period. It expands the definition for organizations participating in the...in the...in the Act to such groups as tenants' organizations. It also expands the notice sections to include a notice to be posted on the abandoned building itself. It makes a lot of clarification and technical changes in the bill, and I would move for the adoption of Conference Committee Report No. 1 to Senate Bill 1428.

PRESIDENT:

Discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I wonder if the sponsor would yield for a question? Question.

PRESIDENT:

Sponsor indicates she'll yield, Senator Luft.

SENATOR LUFT:

Does title ever transfer? If I have abandon my house for two years and somebody walks by and decides that they want to file suit against me for negligence on my property and we go through this whole process and the courts rule that, yes, I have been negligent and allow a not-for-profit organization to come in and fix up that house, does the not-for-profit organization get title to that house or does the title and ownership remain with the original owner?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Only after...the complete title change will come only after a five-year period, but this is temporary until...after the five-year period, sort of like a receivership.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

I'm not so sure I understand the answer. If I...if...if a group goes in to fix up this house that someone has been negligent supposedly about for two years, an organization comes in, fixes it up, five years later after that, the title goes to the non-for-profit organization?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Only...in five years, if you come back...if you do not come back and if I have rehabed that property and pay me what I've put into the property back, then you can retrieve your...your property. It is only...you will get final ownership after the five years and the...and the person does not come back to the abandoned building or make any effort to retrieve their property back. But if you appear at any point, you can, in fact, get your property back if you pay me what I have put into the building for rehabilitation costs.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Is that specified in the bill?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes. It also...it...it requires for a judicial inter-

vention into this whole process. You would have to petition the court, you'd go back into the court and request your property back.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

...a couple of questions of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates she'll yield, Senator Weaver.

SENATOR WEAVER:

Senator Collins, the original bill allowed only not-for-profit corporations to pick up these abandoned structures. Why is the conference report allowing other associations and groups which are not...not non-for-profit incorporated agencies to...allowed to participate?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Let me make it very clear because that is not the intent of the bill. The intent of the expansion of the definition was to...from the original bill that it would only allow certified nonprofit organizations through the state. What the definition does now and expands it to allow for tenant organizations. There are tenant organizations who now petition the courts for temporary receiverships of...of...of the same...this same type of property, so this would allow that kind of group and association to come into...to be involved into this Act.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

One other question, Senator Collins. Under Section 10 of the original bill allowed the court enter an order terminating possession of the property when an organization failed to

file its annual report to the court. Why was that removed and...but are there other safeguards in it?

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

The primary reason why that section was...was removed because it was felt that we were not allowing the courts enough discretion and because the courts would have, in fact, supervision over this whole process in the reporting of this process that it would most certainly...and it's in the bill that if, in fact, the person was not living up to the agreement as set forth in the petition, the court could at any point...rescind the...the petitioner's request at any point in time.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, organization means any Illinois corporation that is conducted on a not-for-profit basis with no personal profit and that's on page 1 of the conference report. And an owner of the property does have a chance within five...five-year period to regain the possession of property and as long as he takes care of the bills that were made...incurred to straighten out the property. I think it's a very good bill and I urge its passage.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you...I wanted to add just one point to Senator Luft's question. In Section 9 in the Conference Committee Report, Senator Luft, it also makes clear that where none of these things have taken place to allow the original owner to regain possession even at the end of the five-year period.

The organization must go to court and file a petition for a judicial deed and there will be adequate notice to named defendants and, ultimately, a court decision that the title will be changed.

PRESIDENT:

Further discussion? Further discussion? Senator Collins may close.

SENATOR COLLINS:

Yes, I...may...can I have some order 'cause this is a...this is a really important issue for many of us. This...this bill would most certainly allow...would...would...would facilitate in the putting back on the tax rolls many buildings that are currently unoccupied and are currently not on the tax roll. It would also provide for much needed housing space which is now...there are just thousands of people out on the streets without places to stay. And...and, in addition to that, it most certainly will help the whole process of...of revitalization of our inner city areas. So this is a very important bill. I think it...it can work; if it doesn't, we...we most certainly would be delighted to come back when we get some experience data to...to tighten this bill up. But I think it's a...it's a very good bill and I would ask for the adoption of this Conference Committee Report.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1423. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 8 Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1423 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee

Reports, Mr. Secretary, is Senate Bill 731.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 731.

PRESIDENT:

Want to put the number up, Jim. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The First Conference Committee Report on Senate Bill 731 validates the tax levies for the City of Aurora, for the Cook County Board, for the Kane County Board and for the Cook County Forest Preserve districts. This is...generally, we have one of these bills that validates these tax levies. I want to make it clear to someone who asked me...before, we're not increasing anybody's taxes, we're simply...validating tax levies that have been made in the past. I'd be happy to answer any questions.

PRESIDENT:

Discussion? Any discussion? Senator Topinka.

SENATOR TOPINKA:

Yes...if I may ask a question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Topinka.

SENATOR TOPINKA:

I noticed on our Senate Calendar supplemental sheet, it also notes that DuPage would be validated too. Is that true or not? I don't see that reiterated in any other piece of paper but I do see it there.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, it...that is my understanding. It doesn't show up on the analysis but...you are...you're right.

PRESIDENT:

Further discussion? Further discussion? If not, the

AB 65
Concurrence

question is, shall the Senate adopt the Conference Committee Report on Senate Bill 731. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 3 Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 731 and the bill having received the required constitutional majority is declared passed. All right, ladies and gentlemen, if I can have your attention. We are awaiting the imminent...imminent arrival of Supplemental Calendar No. 6. In the meantime, there are two members on the main Calendar, if you'll remember, that we...did have one of those...on the main Calendar, Madam Secretary. Page 8 on the main Calendar, page 8. Senator Marovitz. Senate Bill 65. I understand. On the Order of Secretary's Desk Concurrence, Senate Bill 65, Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 65.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move we concur, the original bill passed out I think 58 to 1. What it did was just ensure secrecy on a grand jury. The House amendment reduced the size of grand juries which is beneficial in small counties 'cause of the cost. It used to take twelve out of twenty-three or fifty percent plus one to indict. Now under sixteen it takes nine or fifty percent plus one to indict. So it drops the number but stays with the same basic system. I know of no opposition. I'd appreciate our acceptance of the House amendment.

PRESIDENT:

All right. Senator...Senator Keats has moved concurrence

AB 1377
concurrent

with House amendments. Is there any discussion? Any discussion? If not, the question is, shall the Senate concur with House Amendments 1 and 4 to Senate Bill...no, with House Amendment No. 1 to Senate Bill 65. The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 65. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 65 and the bill having received the required constitutional majority is declared passed. Bottom of page 9 on the same order, Madam Secretary, is Senate Bill 1377.

SECRETARY:

House Amendments 1 and 2 to Senate Bill 1377.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, this...I would move that the Senate do concur in House Amendment No. 1 to Senate Bill 1377.

PRESIDENT:

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Marovitz, this is the grand jury...subpoena of defense lawyer bill again isn't it?

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

That...that's correct, Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Since I don't have any information in front of me it...it may make a difference to some of the members whether this bill does or does not provide or allow for ex parte hearings on a subpoena.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. This bill does not allow for ex parte. The Bar Associations came in and this does not allow for ex parte, it...it allows for notice to the attorney.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Ladies and Gentlemen of the Senate, this is...to my mind, this is then the...the more objectionable form of...of this bill which we've now considered several times. We...we've passed it out of here where it permits an ex parte hearing, in other words, not having to give notice to a criminal defense lawyer in the same manner that...prosecutor does not have to give notice to anyone else from whom a...to...or to whom or upon whom a subpoena is issued. The...the bill is unnecessary because it seeks to address a perceived abuse of powers of the grand jury. Furthermore, the basis upon which a court in a hearing must determine whether or not to...subpoena an attorney concerning a...a person who he represents are the same matters for which a motion to quash such a subpoena will be sustained. I would just ask the Body to duplicate its vote when it rejected the amendment to an earlier bill which would have...would have required a hearing with notice rather than...than permitting an ex parte hearing. It is...it is the bill in its present form that the

State's Attorneys' Association were vigorously opposed to, and I believe we ought to reject this Conference Committee Report.

PRESIDENT:

Further discussion? Further discussion? Senator Marovitz, you may close.

SENATOR MAROVITZ:

I would just solicit an Aye vote. This is a fair bill, it's been passed by this Body. I...all it does is provide notice to an attorney. It privileges the client's privilege and if they're going to get information and subpoena the attorney into testify, all they are...all this calls for is notice to the attorney and that's very simple and I solicit your Aye vote.

PRESIDENT:

The question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 1377. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 26 Nays, 1 voting Present. The Senate does not concur in House Amendments 1 and 2 and the Secretary shall so inform the House. 1560, Senator Karpel. Supplemental Calendar No. 8. Senator Marovitz, for what purpose do you seek recognition? Supplemental Calendar No. 8. House Bill 113, Senator Raica. Supplemental Calendar No. 8, ladies and gentlemen. Supplemental Calendar No. 8. On the Order of Conference Committee Reports, there's a report on House Bill 113, Madam Secretary.

END OF REEL

REEL 127

SECRETARY:

First Conference Committee Report on House Bill 113.

PRESIDENT:

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to adopt committee report from the House, please.

PRESIDENT:

All right, Senator Raica has moved to adopt the Conference Committee Report on House Bill 113. Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 113. Those in favor will vote Aye. Opposed vote Nay. The voting is open.

Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, none voting Present. House Bill...the Senate does adopt the Conference Committee Report on House Bill 113 and the bill having received the required constitutional majority is declared passed. 1736, Senator Berman. Senator Berman on the Floor? On the Order of Conference Committee Reports, Madam Secretary, is House Bill 1736.

SECRETARY:

First Conference Committee Report on House Bill 1736.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 1736 does only one thing and that is to allow the...unit districts over a four-year period to raise their maximum permissive

rate...downstate rate for the Operation, Building and Maintenance Fund. The current rate is...for the dual districts is twenty-five...twenty-five cents for the...unit rate is thirty-seven and a half. The unit rate after...pursuant to this bill would be fifty cents. Solicit your Aye vote and be glad to respond to any questions.

PRESIDENT:

Discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Dudycz.

SENATOR DUDYCYZ:

Senator, you mentioned rate. What...what type of rate? Are you talking about a tax increase for the City of Chicago?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Senator Dudycz, you will be pleased to know that this bill does not affect Chicago.

PRESIDENT:

Senator Kustra. I beg your pardon, Senator Dudycz, I thought you had concluded.

SENATOR DUDYCYZ:

Senator, whose tax rates does this increase?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Downstate unit districts.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDENT:

He indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Berman, is this the proposal of the large unit districts that they made for change in funding?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

No.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, Senator Berman, the printouts that you gave in the committee, in Elementary and Secondary Ed., are they still applicable to this bill?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

No, the...that was taken out. The...the only thing that's...that's here is the O&H Fund for the unit districts permissive tax rate.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, do you have any new printouts that show us which schools within our districts get more or less?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I...I think...I...I think you're thinking of the other bill which dealt with the reporting of attendance figures K through eight and nine through twelve. That dealt with state...with...with the State Aid Formula. There was a printout on that. That was the bill that we passed. I said if there wasn't five million dollars more, that bill wouldn't

come back. There is no five million dollars more. That bill is not back. This is a...this is that same number but doesn't have those provisions in it.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

So...so the figures are out from 1736. This is a new proposal for a tax if people vote it in in downstate districts, districts being under five hundred thousand inhabitants. Is that right?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

This is subject to a backdoor referendum.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I think it's all been said. This is a bill to help our unit school districts. It is endorsed by the Illinois Association of School Boards and, as has already been said, the increases are subject to a backdoor referendum, and I would urge its approval.

PRESIDENT:

Discussion? Further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

Roll call.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 1736. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 18

Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1736 and the bill having received the required constitutional majority is declared passed. 2065, Senator Dunn. On the Order of Conference Committee Reports, House Bill 2065, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 2065.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This bill...the only thing the House did was to add in a cap of two thousand two hundred and fifty dollars and then in adjoining counties of two hundred to two hundred and seventy-five thousand a cap of three thousand two hundred and fifty dollars. I move for the adoption of Conference Committee Report No. 1.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

No discussion on that...I'll wait till...

PRESIDENT:

Thank you. Senator Lechowicz.

SENATOR LECHOWICZ:

Yeah, will the sponsor yield to a question, Mr. President?

PRESIDENT:

Indicates he'll yield.

SENATOR LECHOWICZ:

How are you supposed to police this with this amendment...or this Conference Committee Report?

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Department of Revenue.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, it says, "The aggregate value of all prizes or merchandise awarded in any single day of pull tabs and jar games shall not exceed twenty-two hundred...two thousand two hundred and fifty dollars except in adjoining counties having two hundred thousand...two hundred and seventy-five thousand inhabitants each." They've got a different sugaring mechanism at thirty-two fifty a single day." Now is that per location or is that throughout the county?

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Per location.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Now, as an example, we...on House Bill 2065 now permitting this to be played every day, so...per location would mean every tavern or...every veterans' organization as far as will this be the limit per day per location?

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Every licensee that would be granted by the Department of Revenue no matter what it would be.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

And how are you supposed to police this?

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

In the same manner that bingos are policed, by the Department of Revenue.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Hell, there's a big difference between bingo and pull tabs and...and jar games. And I just...I just don't see, one, why there should be a discrepancy between certain counties and another based upon population, and I'd like to know how you come up with that; and then as far as the...I think it's going to be very difficult, and even though the intentions may be good to have the Department of Revenue...and I'd like to have some assurance from the department that they can actually do this. I mean, 'cause you're talking about every tavern, every veterans' hall...unless you establish as far as the...the pull tabs that you...that's all you can have in those jars, but that's pretty hard to do.

PRESIDENT:

Senator Dunn. Senator Ralph Dunn. Senator Dunn, you'll get the opportunity to close.

SENATOR RALPH DUNN:

Thank...thank you, Mr. President and members of the House. I wonder if the sponsor would yield. I notice...

PRESIDENT:

...indicates he'll yield.

SENATOR RALPH DUNN:

...I notice it says in addition, and I haven't found the bill yet but it said it's amended...following change, "St. Clair, Madison County allowed to offer prizes not to exceed thirty-two thousand...thirty-two hundred and five." Is that in the pull tab or is that in bingo?

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

I believe it's either/or, Senator.

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

...thank...thank you, Mr...thank you, Mr. President. I've had this problem before down there. We have a...another county adjoining St. Clair, Madison County that has been at a disadvantage, Monroe County, because St. Clair County has offered more than they do. We amended a bill about two years ago and give the three counties the same amount. I wonder if you'd object...or I'm going to urge a No vote on this and let's see if we can't include Monroe County in this same thing, it's kind of a disadvantage to them.

PRESIDENT:

Further discussion? Further discussion? Senator Dunn may close.

SENATOR TOM DUNN:

Thank you, Mr. President. I urge an Aye vote. These are organizations that must be licensed by the Department of Revenue. I would suggest to you that that is sufficient safety, it has worked in behalf of other charitable organizations, the veterans' organizations and it has been sufficient as far as bingos. No...no one has cited any problems with the bingos. I urge an Aye vote.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on House Bill 2065. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 27 Nays, none voting Present. The Senate does not adopt the Conference Committee Report on House Bill 2065 and the Secretary shall so inform the House. Senator Dunn, you request a Second Conference Committee?

SENATOR TOM DUNN:

I would ask, Mr. President, that be put on a Second Conference Committee.

PRESIDENT:

All right. The gentleman has requested a Second Conference Committee. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. 2070, Senator Topinka. Conference Committee Report on House Bill 2070, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 2070.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, Ladies and Gentlemen of the Senate, the Conference Committee Report creates...further changes the composition of the Technical Task Force on Community Mental Health Service. With the adoption of this task force it lists the various people who will be honored, which I will be happy to...go through, including members from the House and the Senate. It has been agreed to, I don't know of anybody who is concerned with it at this time. So I would seek your positive vote.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I just rise to support this as chairman of the citizen's...cochair of the Citizens' Council Mental Health Developmental Disabilities. I was taken out of it, I still think it's a good idea and I urge your support.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 2070. Those in favor will

vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the House...the Conference Committee Report on House Bill 2070 and the bill having received the required constitutional majority is declared passed. Senator Schuneman, Senate Bill 12. Conference Committee Report, Madam Secretary, on Senate Bill 12.

SECRETARY:

First Conference Committee Report on Senate Bill 12.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members. The Conference Committee Report contains the language that the House adopted by amendment and I opposed the House language. Basically what this amounts to is that this...this bill would allow people who work in Illinois but might live in one of the bordering states to be notary publics in Illinois, so it's a rather insignificant little bill. When it got to the House an amendment was put on that reduced the fee for notaries public from twenty-five dollars for four years...it's a four-year fee of twenty-five dollars, reduced it to ten dollars for four years. That results in about a four million dollar loss of revenue to the State of Illinois and I think that's the wrong thing for us to do. I oppose this Conference Committee Report, I'm going to vote No and I urge you to vote No, and we'll ask for a Second Conference.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 12. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all

voted who wish? Have all voted who wish? Take the record. On that question, there are 18 Ayes, 30 Nays, none voting Present. Conference Committee report is not adopted and the Secretary shall so inform the House, and Senator Schuneman has requested a Second Conference Committee. All in favor of that motion indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 47, Senator Carroll. On the Order of Conference Committee Reports, Conference Committee Report on Senate Bill 47, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 47.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the bond authorization bill for Fiscal '80. It raises the categories, you have bonds in each level to the level we are authorizing by appropriation. In addition thereto, it provides for the Shed Aquarium grant in language only. It is language required by Bond Counsel. While it appears as new, it is in a grant that had already been approved but the Bond Counsel has required it. In addition, it is a statement by way of providing for 60 bonds for the superconducting super collider. This is to show the Federal Government that Illinois is serious in its effort to bring the superconducting super collider to Illinois. Other states have already passed similar bond authorization; Texas, for example, has gone to a billion dollar bond authorization in an effort to secure the winning bid in this level. The bid is due in August so that we have to show a demonstrated interest. Should we get the superconductor super colliding...super collider, then we would have the bond authorization to acquire land and then come in with further

bond authorizations to actually build the facility. With that, I would ask for adoption of Conference Committee Report No. 1 and would be willing to attempt to answer questions.

PRESIDENT:

Discussion? Senator Keats.

SENATOR KEATS:

Yeah, you hate to rise in opposition to a bill like this but you really have to ask the question, and I'd like to ask the sponsor, if he would so yield.

PRESIDENT:

Sponsor indicates he'll yield.

SENATOR KEATS:

One of the things I've always loved about you, Howard, God bless you, that you manage to get three good things and eight miserable things on the same bill. The super collider is your three good ones. Now we have in the last two years, have we not basically doubled the state's bond authorization in a little over two years?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

We're working on it.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

How much has the bonded indebtedness of every citizen in this state increased in the last two years?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Assuming the budget book is honest, I'll say that again, assuming the budget book is honest, the per capita...the debt service is a percent of expenditures is estimated at 3.73, the debt per capita is three hundred and thirty-three

dollars. Now that's before the bill, so that would change the whole thing now.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

...those numbers from the budget book don't come anywhere near what the Comptroller, who is not a man of my own party. The Comptroller's book, if you remember, is substantially, I think, higher than that. Now my memory is a little foggy. I'm just saying, I don't mind the super collider, but you're looking at all this stuff and I think if you check...your own...a man of your own party, the Comptroller's numbers, you will see that we have increased bond authorizations in Illinois faster than any state in the entire nation and have basically doubled the indebtedness in two years. You know, you...you just got to ask yourself, what is the fastest growing portion of the state budget? Bonds.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Oddly enough, to some extent, my...my comments and my questions were very similar to those of Senator Keats. Let me phrase one part of it differently. Is there a debt impact note available for this bill? Question one. Question two, do the figures that you just quoted include all of the Build Illinois bonded indebtedness which I know is technically not general obligation but in reality is? Because I think the figure on the amount of our appropriations going to debt service is higher than the three point, I think it was seven percent you mentioned and I think the per capita indebtedness is higher than the three hundred plus dollars you mentioned. So, two questions. Is there a debt impact note? Do your figures include Build Illinois? And what is the total authorized increase...in this bill?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support. As you know, we have a opportunity of getting the super collider, it's some eight billion dollar project for Illinois. There's a hundred and forty million dollars in bonds if we don't get it will not be used. Whether you like it or not, Texas has offered, California is offering a package, we need to get in the game.

PRESIDENT:

All right. Senator Carroll.

SENATOR CARROLL:

All right. In response first to Senator Keats. Comptroller Burris and United Republican Fund agreed on those numbers. To Senator Netsch, no, no, and two hundred and sixty-six million.

PRESIDENT:

Senator Carroll may close.

SENATOR CARROLL:

I would ask for adoption of Conference Committee Report No. 1. It is the bond authorization, and as I mentioned before and as Senator Philip echoed, it does include the commitment to...the effort to get the superconducting super collider.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 47. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 4 Nays, 3 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 47 and the bill having received the required constitutional majority

is declared passed. 117, Senator Demuzio. On the Order of Conference Committee Reports, Senate Bill 117, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 117.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZZIO:

Well, thank you, Mr. President. I just wanted to alert my cosponsor, Senator Etharedge, that Senate bill 117 is before us. This is the bill that would create the waste Water Revolving Loan Fund, and when this bill passed out of the Senate some time back, it provided for a GO bond authorization of...of seventy million dollars which would trigger a Federal allocation of three hundred and fifty million dollars to begin the Waste Water Revolving Loan Fund. This was only one part of a two-part program that was necessary in order to provide for the two hundred and twenty-six communities in Illinois, at least with up to a seventy percent grant which the Governor had indicated that he wanted to do by expanding the Build Illinois Program and that was to be funded by...by revenue stream that included a six percent tax on computer software and a six percent elimination of the...food...I mean, of the nonprescription drug which would generate twenty-eight million dollars to pay off the bonds. As you well know, we never really got to that point in the legislature this year. And so 117 is the only game in town. It is a provision that says that we will allow the communities to have access to low interest loans at the same rate of interest that we are paying for the bonds. And we added a provision in one of the...one of the amendments which said that there would be some provision for those communities that had hardship and afford the EPA the opportunity to enter into lesser interest arrangements. I would move the adoption of

Conference Committee No. 1 to Senate Bill 117.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 117. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 117 and the bill having received the required constitutional majority is declared passed. 226, Senator Dunn. On the Order of Supplemental No. 8, Conference Committee Report on Senate Bill 226, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 226.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. The Senate concurred with House Amendment No. 8 and the House receded from House Amendment 5. House Amendment 3 was defined in the analysis as a taxation including property taxes extended or estimated to be extended and used in the Truth in Taxation Law. I ask for a favorable vote...committee report.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 226. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 226 and the bill having received the

required constitutional majority is declared passed. 370, Senator Welch. Madam Secretary, on the same order is Senate Bill 370.

SECRETARY:

First Conference Committee Report on Senate Bill 370.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What Senate Bill 370 does is what it did when last we saw it, and that is, it eliminates the prohibition against issuing a liquor license to officials, aldermen, members of city councils or commissions, members of a village board of trustees or members of a county board. It also has an exemption, it does not apply for the City of Chicago and...and another House amendment extends it to townships allowing the sale of liquor in a particular building designated by township government. I would move concurrence of...with the House amendments.

PRESIDENT:

Discussion? Senator Dudycz.

SENATOR DUDYCZ:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator, as I recall the bill as it left, there was a mention of law enforcement officials being included with the council members, aldermen, village trustees and county board members. Are they excluded in this bill?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

The original bill had them in; in committee, I made a promise to take them out to keep the bill alive, they are now

out.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

...why are you allowing city council members and the other officials to hold these liquor licenses and excluding the law enforcement? And the second part is, how come you're excluding Chicago?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, Senator, for practical reasons, the only way I could have gotten the bill passed was to do that. I had law enforcement officials in there, I couldn't get it out of the committee leaving them in there, I couldn't get the bill out of this body leaving them in there. And as far as excluding the City of Chicago, I understand they asked to be excluded in the House, that wasn't my idea.

PRESIDENT:

Senator Dudycz.

SENATOR DUDYCZ:

Well, in that case, I stand in opposition. I think what's good enough for the goose is good enough for the gander. If you're going to exclude...law enforcement officials but you're going to include aldermen, that's quite a contrast. And then you're going to exclude the City of Chicago and you're going to include everybody else, I think that's very contradictory and I think we should defeat this.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. As minority spokesman on the Local Government Committee, you will note that there is not a Republican Senator that has signed that Conference Committee

Report. You will please note also that that still has the part of the bill that says that mayors and aldermen are allowed to have a liquor license. Now I have been told that some of the mayors are having an absolute fit about this because they do not want to be put in a position where their alderman comes and says, listen there's a liquor license floating around and I would like it. I think this is a bad idea. I think if there's ever a conflict of interest, this has got to be it. And I would solicit a No vote.

PRESIDENT:

Further discussion? Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Maybe I'm mistaken, but this doesn't include mayors, does it? Under the law, as I understand it, by virtue of the fact that your liquor...a mayor is a liquor commissioner and therefore they would be excluded automatically. Is that correct, Senator Welch?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

That's correct, Senator.

PRESIDENT:

Further discussion? Further discussion? Senator Fawell.

SENATOR FAWELL:

...I'm sorry to arise for a second time. What I meant was, Mayor Jacobs, is that what the mayors are saying is as a liquor commission, they are going to be put in a very, very peculiar position to have their alderman come to them and say, I want a liquor license and they're going to have to either tell the alderman, no, you're not going to get it or, yes, you are going to get it and that's just...they...they don't want to be put in that kind of position. What I am saying, for that reason, I think it's a bad bill.

PRESIDENT:

Further discussion? Any further discussion? Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. I think that we have two mayors here and neither one of them spoke in opposition to this bill, and I think that since they are mayors and Senator Fawell is not, she perhaps should not be...objecting. Secondly, let me say that, Senator, the reason there are no Republican signatures on here is that the House Republican staff circulated this. Representative Peterson was supposed to get around and talk to you, apparently he didn't. So, on behalf of the House Republicans, I guess I extend my apology. But third, just let me say that the purpose of the bill was to extend some rights to aldermen and county board members to try to obtain a liquor license so that they wouldn't be precluded from trying to make money or further a career or change careers by getting into a different occupation. That was the original purpose of the bill that passed with over forty votes from the Senate. These amendments restricted the number of people who could comply. It...it took out Cook County, not just the City of Chicago but the entire County of Cook. And I would urge...concurrence with the amendments and adoption of the Conference Committee Report.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 370. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 28 Nays, none voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House, and Senator Welch moves that a Second Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The

motion carries and the Secretary shall so inform the House.
Senator Geo-Karis.

SENATOR GEO-KARIS:

...point of personal privilege. I want to correct Senator Welch. If he remembers, I did lead the attack on the same bill earlier, so don't tell me that two mayors just didn't have any objection to it.

PRESIDENT:

All right. With leave of the Body, we'll get back to Supplemental No. 7, Madam Secretary. Earlier this evening that was taken out of the record with leave to get back to it. On the Order of Supplemental No. 7, there's a Conference Committee Report on Senate Bill 483. Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 483.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a four-part bill and it was the fourth part that...on which a question was raised earlier. And I think that I might just repeat the...the answer to that question, it has been roundly...it was raised by Senator Marovitz and also by Senator Bernan. The question was, the...where do the proceeds of the messages tax that was levied as part of the Educational Reform Act, Senate Bill 730, go to? The answer is that one million dollars...the first one million dollars raised each month by the levying of that tax goes to the Common School Fund, all dollars beyond the first million go to the General Revenue Fund. What has happened since that tax has been levied is that none of the dollars have gone to the Common School Fund, they've all gone to this protest fund because of the suit that has been filed by...GTE and others. What the section of 483 in question does is to transfer those

BH82
e.c.r.

dollars that are now in that protest fund into the General Revenue Fund. And if we approve this bill and it is signed by the Governor, as...as soon as it takes effect, it means that in future the first million dollars collected from this tax will go to the Common School Fund and...and that would be true for each month on into the future assuming that the state prevails in...in the appeal. So this...the transfer makes it possible for us to have monies available in the General Revenue Fund to make the double payment to the schools which is due and...payable in...in August. I would be happy to respond to any questions.

PRESIDENT:

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. First, a parliamentary inquiry. Does this bill require more than thirty votes to pass? The reason I raise that question is that it was explained in part of our discussion that this involves a commitment similar to bonding. I'm...I...I just defer to the Chair as to whether this requires thirty-six votes.

PRESIDENT:

And I'm happy to report that the Chair anticipated that inquiry, Senator Berman, and I would be happy to point to Article IX, Section 9 concerning state debt, subsection 3, "State debt for specific purposes may be incurred or the payment of state or other debt guaranteed in such amounts as may be provided either in a law passed by a vote of three-fifths of the members elected to each House of the Assembly or in a law approved by a majority of the electors voting on the question at the next General Election following passage." In the opinion of the Chair, three-fifths vote will be required for...the Conference Committee Report on Senate Bill 483.

Senator Berman.

SENATOR BERMAN:

All right. Then, that makes me feel better because I'm still opposed to the bill. Let me explain to you, and...and first, I would...I would just ask all of you, if you've got your assistants on green, pull them out, let me tell you why. And we're allowing ourselves to get put into the same box that we're criticized for year in and year out, year in and year out, and let me tell you what I'm talking about. It took us a number of years to finally react to the public when we passed the lottery and we didn't dedicate the lottery funds to education and we said we were going to pass the lottery for education, and all of us had to go around campaigning and asking...answering questions that it really was the same thing, it was really the same thing because it went into general revenue and it was going to make its way to education. But we finally found ourselves in the position that all those complicated answers weren't satisfying the public and we finally passed a bill that dedicated the lottery money to the Common School Fund. Now we're being asked to be put into the same kind of box with Conference Committee No. 1 to 483, and let me tell you what that box is. Fifty-six members on the Floor of this Senate two years ago passed Senate Bill 730. I and Senator Haitland cosponsored that bill and in that bill we passed the Education Reform Act, and in addition to the good things we did in the Reform Act we passed two taxes...two taxes, and we represented back home that we were being totally responsible to pass not only the good things for education but two taxes to fund those things. This...this Conference Committee Report says we're short money, let's release the protest fund in which the message tax, which was one of the taxes passed on Senate Bill 730, let's release the money from that protest fund on the message tax and let it go into general revenue. Well, I'm up here to keep our promise and that promise was that the money from the message tax ain't going into just general revenue, it's

going...it should go into paying for the reforms. Now it just so happens, and you'll hear part of a rebuttal, that says that we've been funding the reforms for the past two years without this message tax. Well, good for us, good for us. It just so happens, ladies and gentlemen, that we've got a pot of money, about a hundred and fifty million dollars, that's sitting there that you and I said ought to go to pay...pay for reforms. And here we are on June 30th, we don't have a new income tax, we don't have any new revenue but, by chance, we've got a pot of money to fund reforms and I don't want it to go elsewhere. And I ask you to stand with me just as you did two years ago in passing the reform bill and saying we're dedicating money to pay for it, let's keep that money dedicated, don't let it go elsewhere, vote No on this Conference Committee Report.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Etheredge.

PRESIDENT:

Senator Etheredge. Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

A...a question. You are using funds that are impounded from the Telecommunications Excise Tax Protest Fund. I was wondering that should this report not pass, would you be willing to include using money from the Hazardous Waste Fund that is also impounded ensuring that those funds are utilized to get the hazardous waste program going because we don't have any funds for that?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, the...I think our posture is entirely different in the situation in which you described where you haven't even gone to trial, I think that's a different issue entirely, Senator.

PRESIDENT:

Senator Welch. Senator Harovitz.

SENATOR HAROVITZ:

Thank you, Mr. President. Well, if ever we wanted to send the wrong message on the last day of the Session, this bill does it. This bill would send the wrong message to every family, school child across the State of Illinois that we can talk about commitments to education but the...the Legislature's actions are far different than their words. There were a lot of words when we passed the school reform package and we made a...a lot of commitments about funding school reform. We haven't kept our commitments about funding school reform and now we're going to take another step. I think we ought to all remember this day and in the future when we talk about funds for education, we ought to earmark and designate those funds. Our only mistake is that we didn't designate these message tax funds for education, that's our mistake. Let's not complicate that mistake by passing this bill, that would be a terrible error.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, as I recall Senate Bill 730, I believe it did have this tax in it, excise tax, but we're not talking about the tax itself, what we're talking about is a judgment, a judgment that was finally affirmed for the State of Illinois, and

I think it's entirely different 'cause the tax is being...collected, it will still be going into the Education Fund as...as prior...as per our commitment. But we're talking about a judgment, and this judgment of, say, of a hundred and fifty million dollars, I don't see any harm in putting in the general fund because as you all know our budget is tight. But we...we're not...we're not ever getting our duty to have the general excise tax...message tax will be set in...in Senate Bill 730 going to education. And I...I...I think I speak in favor of this bill.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the House, I think it's...or Senate. I think it's interesting to watch as we rewrite history just a short two years after we passed education reform. I guess we forget that by the time the education reform bill got to the Floor of the Senate there were about a hundred and sixty-nine different proposals that had been bandied about in committee, and what I remember of that education reform package is how often we...were told, you know you have to swallow the bitter with the sweet, we understand that not everybody in this Body likes everything in the package, but there's going to be one vote on it, and that's what there was, one, maybe two, three votes at the most on what amounted to about a hundred and sixty different pieces of legislation. Some of that stuff I thought was great, some of that stuff I didn't like so much, but I voted with my green light. Now it is being portrayed as though that each and every one of us took a blood oath to support every single, last proposal in that education reform package, and that isn't true. And when I look two years later at that package and what we did, I still find things in there that I see are a little less important than some of the other

things. And so what Senator Etheredge is trying to do here this evening is to play some priorities out there, and that's exactly what we ought to be doing and recognize that not everything had the same high priority in 1985 and it certainly doesn't in 1987. And for that reason, we ought to recognize that there are some other crying needs; in fact, they're going to cry a lot louder even after we leave here, mental health, to name just one. And so why don't we give the state some flexibility. I think this is a good Conference Committee Report to endorse and I do so.

PRESIDENT:

Further discussion? Further discussion? Senator Etheredge, you wish to close?

SENATOR ETHEREDGE:

Yes. Thank you, Mr. President. I think it's important for everyone to remember that not one penny...not one penny has gone to the...Common School Fund from this tax yet. If this measure is approved, the money will start flowing to the Common School Fund at the rate of a million dollars a month. This...the approval of Senate Bill 483 makes it possible for the Common School to begin to receive this money, it makes it possible for the state to make the double state aid payments that are due during the month of August. I would urge an Aye vote.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 483. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 42 Ayes, 10 Nays, 2 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 483 and the bill having received the required constitutional majority is declared passed. Ladies and gentlemen, if I can have your

attention. I was just informed by the Speaker of the House that the House has adjourned until noon on October the 8th. We still have some business to transact, I can also point out. Senator Schaffer, 784, Supplemental Calendar No. 3. Supplemental No. 9, by the way, has, in fact, been distributed. Senator Dunn, for what purpose do you seek recognition?

SENATOR RALPH DUNN:

Thank you, Mr. President. At the proper time, I'd like to be recognized for a motion.

PRESIDENT:

At the proper time, you will certainly be recognized. Senator Kelly, for what purpose do you seek recognition?

SENATOR KELLY:

The same reason, Mr. President.

PRESIDENT:

All right, at the proper time, we'll get to motions. Right now we're on the Calendar and we're on Supplemental No. 8, Senator Schaffer. On the Order of Conference Committee Reports, Madam Secretary, is House Bill 784.

SECRETARY:

First Conference Committee Report on House Bill 784.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is the budget of the Department of Commerce and Community Affairs at a level of five hundred and seventeen million two hundred and forty-seven thousand dollars, down some...yeah, it's down eight million...sure is in the mental health budget.

PRESIDENT:

Discussion? Is there any discussion? Senator Schaffer, I'm sorry.

SENATOR SCHAFFER:

Well...and now that I've gotten a more detailed analysis, there's an old expression that people ought not to know how sausages and laws are made, this is a classic example. I mentioned the budget level was down but there are a bunch of add-ons on the bill. There's three million for U of I Center for graduate studies, sixty-five thousand for enterprise...entrepreneur training, hundred and seventy-five thousand for the Pack of the Yards Council, fifty thousand for the Bonita Juarez High School feasibility study, fifty thousand for the Evergreen Park Police Station, fifty thousand for the 8th Infantry...fifty thousand to renovate the Charit Home, two hundred thousand dollars for the Rockford Developmental Council, fifty thousand for the...well, here's a beaut, for the Quad-cities NASCAR track study; fifty thousand for the Quad-cities municipal study, four hundred and sixty-six thousand for the Chicago Minority Business Committee, a hundred and eighty thousand for the East St. Louis Development Authority, three hundred thousand for the...training grant for the AFL-CIO, that's interesting; a hundred thousand for vocational training for the Henry Rucker Foundation, two hundred and fifty thousand to renovate the Rockford City Hall, six hundred thousand for the Galena Turner Hall, whatever that is; hundred and seventy-five thousand for the Richland Community College for low-tech. training, two hundred and fifty thousand dollars loaned to the Quad-cities Regional Economic Development Authority and two hundred and fifty...fifty thousand for the Southwest Regional Economic Development Study. Also adds two million dollars to the Local Tourism Fund, a hundred and...four hundred and sixty-six thousand and six...four hundred and sixty-five thousand respectively to the commissioner of savings and loans, three hundred and sixty...twenty-six thousand dollars to the Office of the Fire Marshal for underground tanks inspection, I think that reflects a bill that we passed...or

7/13/82
C.C.R.

may have passed; fifty thousand for the Department of Energy and National Resources, eight million for the Department of Central Managements Group Medical, two hundred and fourteen thousand for the Department of Nuclear Safety, six million five hundred and fifty...seven thousand for the Department of Public Aid for welfare reform, six million three hundred thousand for Department of Public Aid for child care, eight hundred and twenty-five thousand dollars for economic development corridors in Chicago, two hundred thousand for...DCCA to the Chicago southwest business economic growth, a hundred and sixty thousand to DCCA for...some series of initials, development corporation in Chicago, four hundred and twenty-one thousand for the Department of Agriculture for operations of...in support of parimutuel racing.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 784. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take...take the record. On that question, there are 43 Ayes, 10 Nays, 4 voting Present. Senate does adopt the Conference Committee Report on House Bill 784 and the bill having received the required constitutional majority is declared passed. We'll move to the Order of Supplemental No. 9. Senator Netsch, Supplemental No. 9, House Bill 982 and 1053. Senator Zito, are you ready? Senator Zito is always ready, Senator Netsch. On the Order of Supplemental No. 9, Conference Committee Reports, Conference Committee, Madam Secretary, on House Bill 1432.

SECRETARY:

First Conference Committee Report on House Bill 1432.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Yes, thank you, very much, Mr. President and members. I would move to adopt the First Conference Committee Report on House Bill 1432. It is exactly the way it left with the proviso for the...was removed...the distributors and the five hundred dollar fee. Other than that, everything is as it was when it left the Senate. I would move for its adoption.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1432. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1432 and the bill having received the required constitutional majority is declared passed. Senator Netsch, 982. Same order of business, Madam Secretary, House Bill 982.

SECRETARY:

First Conference Committee Report on House Bill 982.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The original bill dealt with autologous blood testing, that has been...that has been removed from the bill and it is now an amendment to the Alcoholism and Substance Abuse Act which requires OASA, the Department of Alcoholism and Substance Abuse, to develop programs for their clients who are typically drug addicts and very high risk people to develop programs for testing for exposure to the AIDS virus at the alternative test sites which are those designated by the Illinois Department of Public Health, and it does subject the test to the Con-

fidentiality Act which this General Assembly has now passed. I would move adoption of Conference Committee Report No. 1 to House Bill 982.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 982. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 982 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports, House Bill 1055, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1055.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you. Originally this was a bill dealt...a bill that dealt with toxic air and we have now taken care of that in the Senate bill which passed and so House Bill 1055 has fundamentally been used as a vehicle to do, as I understand it, three things. One is it contains some provisions of the...of what was House Bill 1359 and of House Bill 1310. The chemical safety contingency plans which now are part of this bill would permit the Emergency Services Disaster Agency and the Environmental Protection Agency to review plans prior...prior to an accident. That was the very important change. Currently, there are no provisions for such a prior review. That, as I understand it, has been agreed to by everyone. It also deals with the...it takes the detassellers out of, I think it was Senator D'Arco's House

Bill...Senate...yeah, House Bill 1310 which caused a great deal of controversy before, as I understand it. That is now agreed to by everyone and the Farm Bureau has withdrawn its opposition, and in addition, there are some provisions that relate to the material safety data sheets that provide for the Department of Labor to reduce its reporting requirements. Previously they had to file with four agencies, now they will have to file with only two. I think all of these provisions, although somewhat complex have been signed off by everyone. And I would move the adoption of Conference Committee Report No. 1 to House Bill 1055.

PRESIDENT:

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. As you know, some days ago we debated this issue at...at great length with Senator...D'Arco and we had some very strong concerns about language that had been taken out. The Senate Democratic staff and...and...and Republican staff worked together with us and we have an agreement on...on this amendment. It's my understanding that the Farm Bureau has now agreed to the...the...the change, and I would urge members on this side of the aisle therefore to support the bill.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDENT:

The sponsor indicates she will yield, Senator Fawell.

SENATOR FAWELL:

According to...to my analysis, it says that the controversial language in this bill has been put back in.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

My understanding, Senator Fawell, is that that is not correct. The original definition is there adding only by manual labor and the controversial part is absconded.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1055. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 3 Nays, 2 voting Present. The Senate does adopt the Conference Committee Report on House Bill 1055 and the bill having received the required constitutional majority is declared passed. 1867. On the same order, House Bill 1867, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1867.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I would move that we concur with Conference Committee Report No. 1 to House Bill 1867. Basically this report contains the provision of Senate Bill 11...823, Senator Schaffer's bill, and it caps on the limits of the fees charged by local governments for disposal of solid waste. That is the basic contents of the committee report.

PRESIDENT:

Discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I rise to oppose this. As you know, we in

DuPage County are running out of landfills, it's just a matter of time. Try to get a permit to put a new landfill anywhere. Now what this bill would do would be limit us to what we could charge, forty-five cents a yard, it isn't even close. If you're any kind of a county that has landfills, you ought to have a good look at this bill because, quite frankly, it isn't...even enough, not even close to enough. All you can charge is forty-five cents a yard, it should be closer to a dollar.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Well, I would rise in support of this bill. I'd like to point out that the fees that counties are going to be able to charge are going to be equivalent to the state rate. So I think if it's good enough for the state, it should be good enough for the counties. And secondly, this amount is going to be over two million dollars a year that counties are going to raise by this particular avenue of income production. So I don't think that we should allow people who do have the landfills to suddenly triple and quadruple fees at the expense of those...who are held hostage. I think that would be the crisis that would be created, not that the fees are going to be finally capped at a reasonable amount. I would urge support for House Bill 1867.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he'll yield.

SENATOR FAWELL:

I have been told that there are other counties besides

mine that...that have landfills that charge more, do you know if this is true?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

I'm informed that, no, that's not true.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Hell, I've been told there's about five of them that do, and one of them charges up to two dollars. You know, if you want landfills in Cook County, be my guest, but it just seems to me that you're...you're taking our right away and...you know, I just don't think that that's fair. It just seems to me that if you're going to dump garbage in our...in my county, the least you could do is pay us enough so that we can go out and dump garbage in somebody else's county when we run out of money.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Obviously, there are differences of opinion between members of different counties. I rise in support of Conference Committee No. 1 to House Bill 1867. I think the limits in here are reasonable and I do think that you have to give some consideration to those residents of Cook County. I would ask for an Aye vote.

PRESIDENT:

Discussion? Further discussion? Senator Savickas, you wish to close?

SENATOR SAVICKAS:

Yes, I'd just like to comment that according to the Solid Waste National Association, I don't know of any of those five

counties that Senator Fawell is babbling about, and that charges for two dollars at a crack. These are figures that are not substantiated in any report at any place, and I...and I think that that's wrong to try to throw that out and scare people off. This is a good bill, it will provide the necessary revenue for those counties that need that extra revenue to try to build incinerators and it would also provide the service to those other counties and municipalities of disposing their garbage. I would ask a favorable vote on the concurrence of this report.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on...House Bill 1867. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 20 Nays, 2 voting Present. The Senate does adopt the Conference Committee Report on House Bill 1867 and the bill having received the required constitutional majority is declared passed. All right. Ladies and gentlemen, if I can have your attention. I have just been informed that we have approximately thirty-five or thirty-six items of business yet remaining on Supplementals No. 9, 10, which has been distributed, and there will be an 11 and there will be a 12, so far. Obviously, with the House no longer in business, they are not open to receive any Messages, so any requests for Second Conference Committee falls on deaf ears or no ears. So we will at some point have to reconsider our previous action on those three items...three budgets and we are going to do that before midnight, I assure you, 'cause once midnight comes, as I am sure you all know, then the reports...the date is wrong and the vote requirement is different and we might as well shut down. I'm prepared to stay here till midnight, as I am sure everybody else is, just to give the people an oppor-

tunity to run their bills if they want to do it. If you don't want to do it, you'll be forever blest. Senate Bill 912, Senator Barkhausen. Conference Committee Report on Senate Bill 912, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 912.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, the Conference Committee Report on Senate Bill 912 includes the original bill which provides for the admissibility of business records of the Department of Children and Family Services. Conference Committee Report adds...or concurs in House Amendment No. 3 and in addition authorizes DCFS to pay claims for damages sustained by foster parents and other individuals as a result of malicious or negligent acts of foster children. This is an attempt to make available insurance and thereby remove a disincentive to potential foster parents. I know of no opposition and I ask for the adoption of this report.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 912. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 912 and the bill having received the required constitutional majority is declared passed. Senator Donahue, on 916. On the Order of Conference Committee Reports, Senate Bill 916, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate bill 916.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Senate Bill 916 or this Conference Committee Report does three things. It has the language that provides an exception from the prohibition if the local government or home rule unit can determine that special circumstances exist which justify or require the fishing or hunting license...or hunting should be...prohibited. And this section is supported by the National and Illinois Rifle Association, Legislative Sportsmen Coalition, the Fur Trappers Association and the Illinois Wildlife Federation. The second part is...adds a reciprocal out-of-state fee for muskellunge licenses and allows the Department of Conservation to offer a cash incentive to a private developer for the development of overnight lodging facilities. I would move the adoption of Senate Conference...Conference Report 916.

PRESIDENT:

Discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, the Conference Committee No. 1 to Senate Bill 916, I think, hasn't changed any. It is preemptive and I would ask for a ruling of the Chair on this, it preempts local governments...local municipalities from regulating the use of their lands. It regulates the hunting, the fishing, as...in the case of Chicago, the use of the waters on Lake Michigan or in small lakes in your small communities and rivers. It would regulate the ability of a local municipality to license gun owners and gun...gun registration. This..this is a very, very important piece of legislation to all municipalities, it preempts their total control of their ability to...control or to license activities in their particular area. And I think

that all of...all of the Senators here should be...concerned with what happens in their local community there.

PRESIDENT:

Senator Donahue, you'll have the opportunity to close. You'll have the opportunity to close on all points. Senator...Senator Savickas.

SENATOR SAVICKAS:

And I would also conclude by saying that the House thought so much of this that they haven't even acted on it yet.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Senator...Senator Donahue, how did..how did...did the bill change from what it was when we acted on it earlier?

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

It deleted...it...it deleted the provisions in the original bill and put in House Bill 540.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

The most objectionable provisions in the bill were those articulated by Senator Savickas here, and I don't have the bill I'm just looking at a brief staff analysis here. Those were the...I think the most objectionable provisions. Are those provisions still in the bill...the Conference Committee Report?

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Well, those provisions that have been articulated by Senator Savickas are in error, they do not preempt anything

dealing with gun authorization.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

No...no, the preemptive had to do with home rule units and that...that is a question that we would have to have a ruling on. No, I'm concerned about dealing with the...the inability of...of the local municipalities to...to enforce their...firearm provisions as it relates to the hunting and fishing on...on certain grounds.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

As I stated, Senator Collins, it does not deal with guns or gun ownership, it only deals with fishing...provisions.

PRESIDENT:

Further discussion? Further discussion? All right. Senator Donahue, the Chair is prepared to rule that the legislation...or the legislative proposal...the Conference Committee Report on Senate Bill 916 is, in fact, preemptive, it is the same as House Bill 540 which the Chair earlier ruled was preemptive. Senator Donahue to close.

SENATOR DONAHUE:

Well, thank you, Mr. President. The House has not deemed this as preemptive, I know it's the...the choice of the Chair and I understand that, but I think there's some provisions in this that are important that we can put on the Calendar for the fall for the House. And I would move for the adoption of Conference Committee Report.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 916. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

wish? Have all voted who wish? Take the record. On that question, there are 42 Ayes, 13 Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 916 and the bill having received the required constitutional majority is declared passed. 1052, Senator Luft. On the Order of Conference Committee Reports, a report on Senate Bill 1052, Mr. Secretary.

END OF REEL

REEL 08

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1052.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move to adopt Conference Committee Report No. 1 to House Bill 1052. The Conference Committee Report allows a business to petition Department of Revenue to receive a change in reporting status if it believes its monthly sales tax liability will fall below the ten thousand dollar monthly level. If the department concurs, the business would be relieved of quarterly monthly filing immediately rather than have to wait up to a year before its average is finally below that level. The bill also adds a third method of calculating a quarterly monthly sales tax deposit. This method would assist retailers who have wide fluctuations from week to week in their sales. The...that part of the bill...or committee is sponsored...or supported by the Illinois Retail Merchants Association. The amendment also is to the real estate transfer tax is...is a suggestion of the Taxpayers Association of Illinois. It is designed to restrict to quadrennial assessment years any assessment changes made by local assessing officials based on information contained in the declaration forms used, in other words, the green sheets, when property is sold.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1052. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish?

HB 2190
CC Report

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1052 and the bill having received the required constitutional majority is declared passed. 1416. All right. Moving right along, we're on Supplemental No. 10. Supplemental No. 10, 1421, Senator Savickas. 2190, Senator D'Arco. On the Order of Conference Committee Reports is House Bill 2190. Mr. Secretary.

ACTING SECRETARY: (MR. MARRY)

First Conference Committee Report on House Bill 2190.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. Conference Committee Report on House Bill 2190 provides that the Board of Education shall not have to comply with the competitive bid law in amounts of twenty-five thousand or less on income producing property. It also provides that the J and K maintenance tax on buildings leased from the Public Building Commission will be extended. It also provides for a new tax to...to pay for an agricultural school that...to which an addition is going to be built with twenty percent charitable funds, twenty percent private loans and sixty percent...and sixty percent mortgage. Let me emphasize something about this agricultural school that I think is very important and that is something that everybody is interested in because it runs contrary to what is happening in school systems in the City of Chicago, and that is there's a zero drop-out rate in this agricultural school, nobody drops out of this school. Now the composition is black, Hispanic and white. I think that Senator Maitland visited this school and I intend to do so once we get out of here, and he indicated to me that it is a very fine school doing a tremendous job, and there's no question that this is

a good school and it should be supported and I would ask that we adopt Conference Committee Report No. 1.

PRESIDENT:

Discussion? Senator Dudyecz.

SENATOR DUDYCZ:

Thank you, Mr. President. Here we go again, property tax increase for the property owners of Chicago. We kill these measures in earlier bills and they reappear in the eleventh hour. Let me explain what it does, if Senator D'Arco didn't do it, I...I'd like to clarify. It authorizes the...Chicago Board of Education to levy an unlimited property tax without referendum to provide for agricultural science schools, and the amendment doesn't even define what an agricultural science school is. So the Chicago board...conceivably levy the tax to support any school or to support numerous agricultural schools; in other words, it's just another property tax increase on the backs of the property owners of the City of Chicago. It also authorizes an increase in the Chicago Board of Education's building tax rate, like we mentioned earlier a few days ago, each year to the decrease in the rate levied to pay operations and maintenance on buildings leased from the Chicago Public Building Commission. Well, like...like was mentioned earlier, this is not a tax increase but it deprives the Chicago taxpayers of a property tax decrease that they were promised earlier, and if you vote for this, you're sticking it to the citizens of Chicago, the property owners, and I urge this defeat.

PRESIDENT:

Discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Kustra.

SENATOR KUSTRA:

Senator D'Arco, I just wonder if you could explain to us the section that authorizes the Board of Education to enter into lease purchase agreements for up to forty years with private sector entities. What...what...what kind of private sector entities are we talking about to get into the business of constructing school buildings, administrative offices and school support facilities?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

...the...the loans...they would be private...twenty percent private loans, twenty percent charitable contributions and sixty percent a mortgage from some mortgage house or bank. The...the thing wouldn't proceed...the thing will not proceed unless you get twenty percent charitable contributions. Now if the building is going to cost twenty million dollars to build, four million dollars of that has to be charitable contributions and then the tax...the tax is not an unlimited tax because there's only one agricultural school in the whole City of Chicago. There's only one school that provides agricultural education at a 111th and Pulaski, there aren't any more. I mean, you know, we don't have that much room in the City of Chicago to provide for these schools and the tax rate is tied to the construction and operation and maintenance of this school.

PRESIDENT:

Further discussion? Senator Waitland.

SENATOR WAITLAND:

Thank you, very much, Mr...Mr. President and members of the Senate. It is correct, Senator D'Arco, I...I did visit this school and, you know, you can be on either side of this issue with respect to the tax increase, but for those of you in the city and most of you haven't visited this school, you ought to do it sometime. It is absolutely correct, zero

drop-out rate. Ellen Summerfield who runs this school does a magnificent job, we could learn a lot from what she does, from what she teaches. She's providing something in the city that...that they've never had an opportunity to have before. Again, vote your...your conscience on...on the issue, but don't belittle the school because they're doing a magnificent job and we could all learn from that a great deal.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

I rise in support of this bill.

PRESIDENT:

All right. Further discussion? Senator Dudycz for the second time.

SENATOR DUDYCZ:

I apologize for rising a second time, Mr. President, but I'd like to clarify. Senator D'Arco, nowhere in this Conference Committee Report does it say singular school. Every mention of agricultural science schools is plural...plural, that means more than one, never says school, it says schools. So I take it it could be...two or more, and any way you look at it, a tax increase is a tax increase is a tax increase and we're sticking it to the property owners again.

PRESIDENT:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Hell, I...I guess I've got a question on this. We're talking about a laudable program and idea but the language I guess I'm concerned about. On like page 11 of the agreement, it...in lines 7, 8 and 9, words "For any school building, school administrative office or school support facility." It seems awful open-ended; if we're talking about entering a tax levy for one particular program and school, that's one thing, but when the wording is saying for any school building,

school administrative office or school support facility, I think this opens it up all the way around and...and it could just say that you can levy a tax that the downtown administration building is a support facility and we must levy a tax to support that facility. I'd like an answer on that portion of it.

PRESIDENT:

(Machine cutoff)...D'Arco.

SENATOR D'ARCO:

Take it out of the record.

PRESIDENT:

Thank you. All right, ladies and gentlemen, if I could have your attention. It...it is now 10:15 on June the 30th. We have three items...budgetary items yet remaining that are obviously absolutely essential for the operation of State Government. My suggestion is that we reconsider our prior action on those three...pass those three budgets and adopt the House adjournment resolution and we can be out of here in less than fifteen minutes. Senator Carroll on 776.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Having voted on the prevailing side, I move to reconsider the vote by which Conference Committee Report No. 1 on House Bill 776 failed. This is the Department of Veterans' Affairs. I would move that the vote by which that failed be reconsidered.

PRESIDENT:

All right. Senator Carroll having voted on the prevailing side has moved to reconsider the vote by which House Bill...the Conference Committee Report on House Bill 776 failed. All in favor of the motion to reconsider indicate by saying Aye. All opposed. The Ayes have it. The vote is now reconsidered. If you'll turn to Supplemental Calendar No. 4, we're on the Order of House Bills...Conference Committee

Reports on House Bills, House Bill 776. Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 7-7-6.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you. As...as Senator Donahue already explained, this is the Department of Veterans' Affairs. We had attempted to keep the field office open; we had, in fact, as a Senate and with this Conference Committee Report reversed the policy decision of the agency in an effort to keep all of the field offices open. However, on Friday, they closed eleven of them, those are not funded in this. The other twenty-six we mandated stay open that had not been closed pursuant to the Auditor General's report. I would move adoption of Conference Committee Report No. 1.

PRESIDENT:

All right. With leave of the Body, Carol Fowler from Channel 3 is requesting permission to videotape. Leave is granted. Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 776. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 8 Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on House Bill 776 and the bill having received the required constitutional majority is declared passed. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Having voted on the prevailing side, I move to reconsider the vote by which the Conference Committee Report on House Bill 783 failed.

PRESIDENT:

All right. Senator Luft...if you'll turn again to page...Supplemental Calendar No. 4. Senator Luft has moved to reconsider the vote by which House...the Conference Committee Report on House Bill 783 failed. Discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

Yes, Mr. President, having sat in this Chamber for I believe four of the last five years and had Speaker Madigan play this game that he's played with us, sending over legislation and then adjourning, I think it would be in the best interest of the integrity of this Body if we adjourn and bring the House back and have full consideration of mental health and I so move.

PRESIDENT:

Well, if you could hold that motion. Senator Schaffer.

SENATOR SCHAFFER:

...no comment.

PRESIDENT:

Oh, all right. All right. Senator Joyce has moved to adjourn.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I just ask you to consider and not take any precipitous action. I think the subject of the budget and the potential tax increase and the potential consequences of no tax increase both in terms of mental health, in terms of public aid, in terms of paying our debts are well known to everybody. We are arguing at this moment with respect to mental health over twenty million dollars which, in fact, the Governor said as late as this morning is really not even there. Now I don't particularly care for what the House did either, but I think we do ourselves a disservice because

we've got to come back, and I don't about you but I'm not ready to come back tomorrow or Friday or Monday or Saturday, for what? We're going to come back and argue about House Bill 783 and this Conference Committee because, Senator Schaffer, whether you put twenty million or forty million or a hundred million in, the...gubernatorial action is going to remain the same. The same is certainly true with 1836. We have two items of business remaining and we can adjourn and go home and we will have funded the essential operation of State Government, and we will be back here in October and you can bet as sure as we are all standing here that one of the subjects that we're going to have to consider is the Department of Mental Health and the staff/patient ratio, because the court is going to make us do it, I can almost guarantee it. But let's don't shoot ourselves in the foot and say, oh, the House did it to us again, we're coming back here strong as rain on Saturday morning, we'll show them. Come on, let's get our business done and go home.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I would submit that it's not my foot that I'm pointing the pistol at. I think this is the time to do this. If we don't do this now, he will continue, he will continue, we will go on and on...for as long as he is the Speaker, we will be subjected to this type of tactic where he throws it across and adjourns. So I would ask for a roll call.

PRESIDING OFFICER: (SENATOR DEWUZIO)

Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate and I certainly admire Senator Rock's patience. But this isn't the first time, this isn't the second time, this is the third time. For some reason, I always thought that

the House and Senate were equal and that we used to sit down...in the beginning of the Session and work out the schedule to the House and to the Senate's advantage. Now all of a sudden the House adjourns and goes home, hasn't accept any of our paper for quite a while since early the afternoon and had just tried to shut down the Senate almost completely, and I'll tell you one thing, I've had it. It's long overdue, we ought to tell them, hey, we're equal and when you decide to adjourn, let us know so we can talk about it and work out these mutual problems.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

What do you mean? I already moved, Mr. President, to reconsider the vote on this bill.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Just a minute, I'm trying to find out where we were before I came up here, okay? All right. Senator Joyce.

SENATOR JEREMIAH JOYCE:

(Machine cutoff)...a roll call on a motion to adjourn.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Senator Joyce has...has asked for a roll call on the motion to adjourn. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 27, none voting Present. The motion fails. Senator Luft. Senator Luft.

SENATOR LUFT:

Thank you,...Mr. President. I would renew my motion having voted on the prevailing side to reconsider the vote by which the Conference Committee Report on House Bill 783 failed.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. You've heard the motion by Senator...Senator Luft. Senator Luft has moved to reconsider...having voted on the prevailing side moves to reconsider the vote by which...Conference Committee 1 to House Bill 783 failed. Those...those in favor of the motion will vote Aye. Those opposed Nay. The voting is open. Oh, I beg your pardon. Well, we...we are...frankly, we are in the middle of...Senator Rock.

SENATOR ROCK:

Well,...the opportunity to talk, I presume on the twenty million dollars on the main event. Why don't we just move to reconsider and get that over, that could have been done by voice vote anyway.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

I'll give you that one, Phil.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Senator Luft having moved...having voted on the prevailing side moves to reconsider the vote by which Conference Committee No. 1 to House Bill 733 failed. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. Madam Secretary, House Bill 783.

SECRETARY:

First Conference Committee Report on House Bill 783.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, it's ten-thirty on the 30th. The House has adjourned having refused to accept the rejection of the First Conference Committee, having refused to sit down and talk with the Second Conference Committee. Senator Carroll tells me he made that request, they just...no discussion. We had

time, I noticed, to fill the DCCA budget with everything but the kitchen sink but we didn't have time to spend five minutes for discussion on mental health. I have to tell you one thing though, Senator Rock is right, the Governor's Office has gone south on me...tell the guys and gals on my side of the aisle in particular, despite, I thought, a reasonably clear reading from them this morning. I suspect the Governor for reasons we can all understand would probably like to see us leave town. I can hardly blame him for that. I think, frankly, though we ought to leave this Session with a message and the message is that we're serious about mental health. I have to admit without getting into a tirade about the Speaker's conduct that I am getting a little tired of this type of tactic, and unless we're prepared to become a unicameral Legislature, maybe we ought to force them back to a Conference Committee and have a real legitimate Conference Committee meeting and debate what I offer to compromise on this. I'm not being hardnosed, I don't think I'm out of line when I say let's have a Conference Committee and let's meet. I wouldn't deny that for any member of the Senate and I hope you wouldn't deny it for me. I urge we reject this vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. While Senator Schaffer is correct, we had made the request for the second Conference, let me also suggest we had debated the issue both here...and I would take exception, I think the Chamber should know, Senator Schaffer, you miscast that which was done with this budget or DCCA. Both of those conferences took place yesterday all day. There was nothing added up in DCCA today, that was all done yesterday in a conference that lasted about, what, fourteen hours, Senator Etheredge, Senator Haitland, Senator Hall? I believe some-

thing like that. This was debated very long and clear in that also. This is the only budget over '87 spending; education got zero, zero, even in DCCA which you led the...read the litany of before. The only ones that got any more in DCCA, everything else was within the lines DCCA had offered us and we had already accepted by Senate action, we did...out of the thirteen million to public aid for welfare reform and day-care centers. We did give another eight million to Central Management Services for our group insurance plan for the two hundred thousand people who are on it, state employees and their dependents, and we did give another two million for foster care for Children and Family Services. That's about it in that DCCA budget which you raised which was done yesterday. This, however, we gave forty-two million dollars to, almost thirty-one million dollars to keep the institutions open to have a 1.51, 52, 53 ratio of staff/patient and a three and a half percent increase to the community base providers. And I have been a strong advocate of those providers. They are essential to a governmental system, they raise a lot of money privately as charitable endeavors to help us take care of the mentally ill and the...developmentally disabled. Three and a half percent increase isn't bad when education got zero and appears from the Governor's action is going to get cut about a hundred and thirteen million. Three and a half percent increase when the schools of Illinois will have to live on last year's level less, according to the Governor this morning, a hundred and thirteen million. Even if he gave them every penny we budgeted, three and a half percent increase versus zero for all of the school districts of Illinois, enough is enough.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further...further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the

Senate. Senator Schaffer, I think that is the point that we are not acting in callous disregard of this Department or the people it serves. The fact of the matter is the budget is over...over to...to a greater extent than any...any other budget, and also the fact of the matter is when I spoke with the Governor in those summit meetings, one of the main areas of concern was mental health and we decided that we could not avoid the question, it would be dealt with, it is being dealt with, it will be dealt with in October. All I'm asking you is to fund the necessary operation of State Government, vote Aye on this bill and the next bill and we can go home and think in a rational way. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Further discussion? The question is, shall the Senate adopt the First Conference Committee Report on House Bill 783. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 30, 1 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Having voted on the prevailing side, I move to reconsider the vote by which the Conference Committee on House Bill 1636 failed.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Senator Luft having voted on the prevailing side moves to reconsider the vote by which Conference Committee 1 to House Bill 1636 failed. Those in...discussion? Senator Joyce.

SENATOR JEREMIAH JOYCE:

I move we adjourn.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Well, Senator Joyce, we have a motion before us right now. All right. Senator Luft has moved to reconsider the vote by which Conference Committee No. 1 to House Bill...all right. Senator...Senator Joyce has made a motion to adjourn. Is there...Senator Hall, for what purpose do you arise?

SENATOR HALL:

Well,...parliamentary inquiry. How many does he have to have to...

PRESIDING OFFICER: (SENATOR DEBUZIO)

Well,...

SENATOR HALL:

I...no one else...adjourn.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. My Parliamentarian says he needs a majority of those that are voting on the question. All right. Senator Joyce has made a motion to adjourn. Senator Rock.

SENATOR ROCK:

And that motion is in order and will be honored. I just asked the minority leader to contact the Governor to find out...adjourn to when?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Just a parliamentary inquiry. Without consent of the House, how long can the Senate adjourn?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Constitutionally, as I recall correct, I think it's three days.

SENATOR SAVICKAS:

And if we come back in three days and the House is still adjourned until October 3th, then we adjourn again for three more days?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Why don't you...we would...Senator Savickas, the best of

my recollection, in terms of the Constitution, I think there would have to be an agreement as to...between the House and the Senate because we are duly constituted to come back within three days of one another. I assume we are waiting for a date as to when to adjourn to, that's what we are waiting for.

PRESIDENT:

All right. Senator Joyce had placed a motion to adjourn. Senator Philip has conferred with the Governor. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. I'd like to move we adjourn till ten o'clock tomorrow morning.

PRESIDENT:

That motion is in order. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Ten o'clock tomorrow morning. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

To make the announcement that the Governor has the party going on tonight and everybody is invited.

PRESIDENT:

Tell him he...tell him he better wait till Friday.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Just a question of Senator Philip. Is that party at the '87 level?

SENATOR PHILIP:

It's bring your own bottle.

01/13/88
15:56

STATE OF ILLINOIS
85TH GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 1

JUNE 30, 1987

HB-0099	CONFERENCE	PAGE	225
HB-0113	CONFERENCE	PAGE	248
HB-0126	NON-CONCURRENCE	PAGE	4
HB-0259	CONFERENCE	PAGE	189
HB-0421	CONFERENCE	PAGE	226
HB-0421	OUT OF RECORD	PAGE	226
HB-0474	CONFERENCE	PAGE	230
HB-0482	NON-CONCURRENCE	PAGE	5
HB-0482	CONFERENCE	PAGE	130
HB-0483	NON-CONCURRENCE	PAGE	17
HB-0484	NON-CONCURRENCE	PAGE	5
HB-0486	CONFERENCE	PAGE	192
HB-0612	CONFERENCE	PAGE	131
HB-0770	NON-CONCURRENCE	PAGE	6
HB-0770	CONFERENCE	PAGE	131
HB-0773	CONFERENCE	PAGE	134
HB-0776	CONFERENCE	PAGE	134
HB-0776	CONFERENCE	PAGE	186
HB-0776	CONFERENCE	PAGE	296
HB-0776	OUT OF RECORD	PAGE	137
HB-0777	CONFERENCE	PAGE	137
HB-0780	CONFERENCE	PAGE	138
HB-0782	NON-CONCURRENCE	PAGE	7
HB-0782	CONFERENCE	PAGE	138
HB-0783	CONFERENCE	PAGE	297
HB-0784	CONFERENCE	PAGE	276
HB-0789	CONFERENCE	PAGE	144
HB-0791	CONFERENCE	PAGE	152
HB-0793	CONFERENCE	PAGE	153
HB-0799	NON-CONCURRENCE	PAGE	7
HB-0799	CONFERENCE	PAGE	153
HB-0848	NON-CONCURRENCE	PAGE	8
HB-0871	NON-CONCURRENCE	PAGE	15
HB-0960	NON-CONCURRENCE	PAGE	9
HB-0982	CONFERENCE	PAGE	279
HB-1038	CONFERENCE	PAGE	232
HB-1055	CONFERENCE	PAGE	280
HB-1063	NON-CONCURRENCE	PAGE	9
HB-1163	NON-CONCURRENCE	PAGE	10
HB-1163	CONFERENCE	PAGE	154
HB-1167	CONFERENCE	PAGE	97
HB-1174	CONFERENCE	PAGE	99
HB-1188	CONFERENCE	PAGE	155
HB-1234	NON-CONCURRENCE	PAGE	11
HB-1234	CONFERENCE	PAGE	156
HB-1237	CONFERENCE	PAGE	162
HB-1275	NON-CONCURRENCE	PAGE	11
HB-1275	CONFERENCE	PAGE	164
HB-1312	CONFERENCE	PAGE	115
HB-1368	CONFERENCE	PAGE	164
HB-1412	CONFERENCE	PAGE	192
HB-1432	CONFERENCE	PAGE	278
HB-1636	NON-CONCURRENCE	PAGE	12
HB-1636	CONFERENCE	PAGE	165
HB-1681	CONFERENCE	PAGE	233
HB-1684	NON-CONCURRENCE	PAGE	12
HB-1736	CONFERENCE	PAGE	249
HB-1867	CONFERENCE	PAGE	282
HB-1897	NON-CONCURRENCE	PAGE	13
HB-1897	CONFERENCE	PAGE	173
HB-1924	CONFERENCE	PAGE	101
HB-2034	CONFERENCE	PAGE	226
HB-2050	NON-CONCURRENCE	PAGE	13
HB-2065	NON-CONCURRENCE	PAGE	18
HB-2065	CONFERENCE	PAGE	253

STATE OF ILLINOIS
85TH GENERAL ASSEMBLY
SENATE

DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 30, 1987

HB-2070	CONFERENCE	PAGE	257
HB-2180	CONFERENCE	PAGE	194
HB-2190	CONFERENCE	PAGE	292
HB-2190	OUT OF RECORD	PAGE	296
HB-2201	CONFERENCE	PAGE	212
HB-2222	CONFERENCE	PAGE	234
HB-2276	CONFERENCE	PAGE	4
HB-2332	CONFERENCE	PAGE	235
HB-2359	NON-CONCURRENCE	PAGE	2
HB-2373	CONFERENCE	PAGE	174
HB-2476	NON-CONCURRENCE	PAGE	3
HB-2591	CONFERENCE	PAGE	208
HB-2748	NON-CONCURRENCE	PAGE	14
HB-2756	NON-CONCURRENCE	PAGE	15
HB-2806	NON-CONCURRENCE	PAGE	3
HB-2827	CONFERENCE	PAGE	197
HB-2838	CONFERENCE	PAGE	213
HB-2852	NON-CONCURRENCE	PAGE	16
SB-0012	CONFERENCE	PAGE	258
SB-0047	CONFERENCE	PAGE	259
SB-0065	CONCURRENCE	PAGE	245
SB-0117	CONCURRENCE	PAGE	18
SB-0117	CONFERENCE	PAGE	263
SB-0124	CONFERENCE	PAGE	118
SB-0126	CONFERENCE	PAGE	198
SB-0226	CONFERENCE	PAGE	264
SB-0237	CONCURRENCE	PAGE	96
SB-0289	CONCURRENCE	PAGE	19
SB-0310	CONCURRENCE	PAGE	19
SB-0317	CONFERENCE	PAGE	175
SB-0319	CONFERENCE	PAGE	175
SB-0322	CONFERENCE	PAGE	176
SB-0326	CONFERENCE	PAGE	177
SB-0327	CONFERENCE	PAGE	177
SB-0332	CONFERENCE	PAGE	178
SB-0337	CONFERENCE	PAGE	179
SB-0338	CONFERENCE	PAGE	180
SB-0370	CONFERENCE	PAGE	265
SB-0377	CONFERENCE	PAGE	120
SB-0427	CONCURRENCE	PAGE	20
SB-0483	CONFERENCE	PAGE	236
SB-0483	CONFERENCE	PAGE	269
SB-0483	OUT OF RECORD	PAGE	238
SB-0580	CONFERENCE	PAGE	183
SB-0600	CONFERENCE	PAGE	209
SB-0653	CONFERENCE	PAGE	121
SB-0682	CONFERENCE	PAGE	102
SB-0696	CONFERENCE	PAGE	205
SB-0731	CONFERENCE	PAGE	243
SB-0822	CONFERENCE	PAGE	214
SB-0839	CONFERENCE	PAGE	182
SB-0886	CONCURRENCE	PAGE	20
SB-0912	CONFERENCE	PAGE	286
SB-0914	CONCURRENCE	PAGE	21
SB-0916	CONFERENCE	PAGE	286
SB-0918	CONFERENCE	PAGE	104
SB-0972	CONCURRENCE	PAGE	22
SB-0977	CONCURRENCE	PAGE	24
SB-1014	CONFERENCE	PAGE	217
SB-1025	CONFERENCE	PAGE	206
SB-1052	CONFERENCE	PAGE	290
SB-1129	CONCURRENCE	PAGE	22
SB-1222	CONFERENCE	PAGE	223
SB-1263	CONFERENCE	PAGE	207
SB-1295	CONCURRENCE	PAGE	24

STATE OF ILLINOIS
85TH GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 30, 1987

SB-1322 CONFERENCE	PAGE	224
SB-1325 CONCURRENCE	PAGE	25
SB-1377 CONCURRENCE	PAGE	246
SB-1400 CONFERENCE	PAGE	106
SB-1407 CONFERENCE	PAGE	207
SB-1415 CONCURRENCE	PAGE	26
SB-1428 CONFERENCE	PAGE	238
SR-0134 ADOPTED	PAGE	28
SR-0152 ADOPTED	PAGE	29
SR-0242 ADOPTED	PAGE	40
SR-0262 ADOPTED	PAGE	32
SR-0274 ADOPTED	PAGE	33
SR-0280 ADOPTED	PAGE	33
SR-0305 ADOPTED	PAGE	34
SR-0325 ADOPTED	PAGE	34
SR-0333 ADOPTED	PAGE	35
SR-0357 ADOPTED	PAGE	35
SR-0365 ADOPTED	PAGE	36
SR-0367 ADOPTED	PAGE	37
SR-0397 ADOPTED	PAGE	38
SR-0398 ADOPTED	PAGE	39
SR-0404 ADOPTED	PAGE	39
SR-0412 ADOPTED	PAGE	41
SR-0476 RESOLUTION OFFERED	PAGE	27
SR-0477 RESOLUTION OFFERED	PAGE	27
SR-0478 RESOLUTION OFFERED	PAGE	27
SR-0479 RESOLUTION OFFERED	PAGE	27
SR-0480 RESOLUTION OFFERED	PAGE	27
SR-0481 RESOLUTION OFFERED	PAGE	69
SR-0482 RESOLUTION OFFERED	PAGE	84
HJR-0034 ADOPTED	PAGE	42
HJR-0037 ADOPTED	PAGE	44
HJR-0073 ADOPTED	PAGE	45
HJR-0089 ADOPTED	PAGE	51
HJR-0096 ADOPTED	PAGE	52
SJR-0029 ADOPTED	PAGE	53
SJR-0054 ADOPTED	PAGE	57
SJR-0057 ADOPTED	PAGE	58
SJR-0059 ADOPTED	PAGE	59
SJR-0061 ADOPTED	PAGE	60
SJR-0072 ADOPTED	PAGE	63
SJR-0077 ADOPTED	PAGE	65

SUBJECT MATTER

SENATE TO ORDER - PRESIDENT ROCK	PAGE	1
PRAYER - REVEREND THOMAS RADTKE	PAGE	1
JOURNALS - POSTPONED	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	27
MESSAGES FROM THE HOUSE	PAGE	67
COMMITTEE REPORTS	PAGE	69
EXECUTIVE SESSION	PAGE	70
MEMORIAL FOR SENATOR BLOOM	PAGE	87
MESSAGES FROM THE HOUSE	PAGE	125
HB 911 - REREFERRED TO COMMITTEE	PAGE	127
MESSAGES FROM THE HOUSE	PAGE	128
HB 1636 - REQUEST SECOND CONFERENCE COMM.	PAGE	183
ADJOURNMENT	PAGE	306